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April 1981

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# REPORT OF A MEETING BETWEEN THE PUBLIC INTEREST GROUPS AND THE CANADIAN ENVIRONMENTAL ADVISORY COUNCIL

May 26-27 1980





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OTTAWA, CANADA  
1981

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## FOREWORD

The reports of the first two meetings, in March and November 1977, of the environmental public interest groups with the Canadian Environmental Advisory Council were published in one volume in 1978.\*

The third meeting took place in November 1978, when four position papers prepared by the interest groups were discussed and recommendations arising from them were made to the Minister of Environment. While the meeting contributed to the maintenance of the liaison between the groups and the Council, and to the mutual appreciation of positions, for several reasons it was not felt appropriate or useful to produce a detailed account of the proceedings. The agenda, list of participants and summaries of the recommendations of the third meeting are contained in this report as Annex A.

A close relationship between the Council and the environmental groups was maintained and intensified. Representatives of the groups, comprising an ad hoc steering committee, met at Council's suggestion with the Minister of Environment in Toronto in November 1979, where the Council proposed and the Minister supported the organization of a fourth meeting in the spring.

For this fourth meeting, subsequently held in Ottawa in May, 1980, the steering committee accepted the responsibility of developing the agenda (Annex B). A number of papers were prepared on strategic and environmental issues and each was summarized in a statement to the Minister at the meeting. Because of the number of issues raised, little time was available to engage in prolonged discussion, and it was agreed that the papers would be reviewed, revised and formally submitted.

These revised presentations are included in this report as Annex C. The texts reflect changes or additions arising from the discussion at the meetings, and contain perceptive recommendations for action.

The Canadian Environmental Advisory Council has consistently taken the position that it should not be perceived as the only or indeed the major point of contact between the interest groups and the Department. It took the initiative in facilitating contact among the groups and provided financial support for the first four meetings. Concurrent with the development of a broader policy of public participation, the Department has agreed to take responsibility for organizing future meetings of this kind.

The Council intends to keep itself informed concerning the development of this relationship and remains prepared to lend advice and moral support as the occasion demands.

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\* *Reports of the First and Second Meetings of the Public Interest Groups with the Canadian Environmental Advisory Council.* Can. Env. Adv. Council, Report No. 7, Ottawa, May 1978.





REPORT OF THE FOURTH MEETING OF  
THE ENVIRONMENTAL PUBLIC INTEREST  
GROUPS WITH THE CANADIAN ENVIRON-  
MENTAL ADVISORY COUNCIL

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MAY 26-27, 1980



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## REPORT OF THE FOURTH MEETING WITH ENVIRONMENTAL PUBLIC INTEREST GROUPS

MAY 26, 1980

09:30 am

### 1. WELCOME AND COMMENTS ON ROLE OF THE CANADIAN ENVIRONMENTAL ADVISORY COUNCIL

Dr. Chant took the chair and welcomed the representatives of the Environmental Non-Governmental Organizations (ENGOS). He gave some background on what the role of the Council is, and how Council became interested in the important function ENGOS play in environmental matters. He mentioned that it was never intended by CEAC that sponsorship of ENGOS in their contacts with the Minister become a permanent arrangement or a formal process; some time in the future CEAC should "back out" and leave the ENGOS to carry on their own dealings with the Minister or the Department.

Dr. Bergeron welcomed the ENGOS, and said he was pleased to be able to facilitate communication and dialogue between the citizen groups and the Ministry. He said that the ENGOS represented more than a quarter million people who have a strong interest in the environment. Together they represent a strong force from all parts of Canada.

Dr. Chant then reviewed the meeting arrangements and the agenda (Annex A). On Monday evening a reception will be hosted by Council, at which Mr. Simmons, Parliamentary Assistant to the Minister, will attend on behalf of Mr. Roberts. He then turned the meeting over to the Chairman of the ENGO Steering Committee, Ms. Beatrice Olivastri.

### 2. PROCEDURE FOR THE WORKSHOP

Ms. Bea Olivastri introduced all the participants (Annex B). She briefly went over the arrangements for the workshops:

#### 1) Morning Workshops:

- a) EARP - chaired by Saunders, recorded by Olivastri
- b) Freedom of Information - chaired by Vigod, recorded by Roberts

#### 2) Afternoon plenary session

- c) Northern issues
- d) Public participation

#### 3) Meeting of chairpersons and rapporteurs at 16:00

The meeting then broke up into workshops. Following is a brief summary of discussion at the workshops.

### 3. WORKSHOPS

#### (a) ENVIRONMENTAL ASSESSMENT AND REVIEW PROCESS (EARP)

The Working Group on EARP chaired by Ms. Olivastri approved Strategy Paper #4 (Annex C) and decided to bring before the Minister three key recommendations:

1. Requesting that the Minister respond within three months concerning changes in FEARO
2. Requesting an outline of the type of legislative base that is being planned for FEARO
3. Stressing the necessity for input of public values as well as technical information into FEARO decisions.

#### (b) FREEDOM OF INFORMATION

Ms. Vigod distributed the ENGO strategy paper No. 2 on this subject (Annex C); this paper summarizes the Canadian situation regarding "freedom from information", and why freedom of information is necessary.

Mr. Mallory expressed approval to the broad approach, but thought it was unrealistic to expect broad changes to be made quickly. He gave the example of the MacDonald Commission which was looking into political and legal questions of freedom of information; he felt that life of the government could be in the balance here, and in the context of those major political issues, information on environmental questions must be very precise. Mr. Mallory felt that it would be more practical to approach specifically each law that is being promoted or revised, to have inserted a clause stating that "all information pursuant to this law will be made public". For example, in the revision to the Quebec Environmental Quality Act, which separates the Quebec Environmental Council from the Quebec Public Hearing Act, at the urging of SVP, a provision was inserted that as regulations were announced for each industry, all information regarding that industry must be made public. This was adopted, and resulted in a major environmental gain without rocking the political system.

Ms. Aarons said that freedom of information was not just an environmental question, but has to be viewed from a human right and good government viewpoint. There was necessity to find out what "steps" DOE could take. Mr. Mallory thought that the first step would be to have DOE write freedom of information into every law that concerns the environment - not only DOE laws, but AECA, Pesticides Act, etc.

Ms. MacPherson pointed out that even government departments cannot get information from Crown corporations, for instance Northern Canada Power Commission (NCPC). She questioned whether such information is best obtainable piecemeal or be covered under one strong act.

After further general discussion, the consensus amongst the participants was:

- there was need for a strong freedom of information campaign by public
- such freedom of information campaign should be organized for each province
- DOE should be pressed to insert freedom of information in each of its laws.
- The ultimate goal should be a comprehensive freedom of information act.



Dr. Hall said that the groups should consider whether it would be useful to ask the government to get information it does not have now, for example, demand that government obtain certain types of information (e.g. on effluent releases) obtain and then release it to the public. Dr. Bergeron noted that in most freedom of information questions there is need to push the provincial governments strongly, because they control those who produce the information.

Ms. Aarons felt there was a need to mount a national campaign for freedom of information. ENGOS should in concert with other non-government organizations (social, human rights, etc.) focus on freedom of information. Mr. Mallory did not think it would be difficult to organize regional meetings where freedom of information is a common goal of several types of groups.

Ms. Vigod mentioned an NGO umbrella movement, Toronto-based, called "Sunshine". This group is trying to push legislation for freedom of information. She thought it might be useful to contact them and see what information they have.

Dr. Roots observed that the ENGOS should try to state

- what kind of information was important?
- what is meant by information?
- what kind of control on information is acceptable?
  - arbitration board?
  - judicial body?
  - ombudsman?

He said that the Department collects a lot of information which is not in suitable form to distribute; it has to be re-arranged, corrected or re-plotted before it means anything to persons other than the group that produced it. Some could be misleading unless the errors vs assumptions are explained; and this was sometimes difficult. Even though this information is not confidential, it would cost a lot of money to put them in open files or reproduce it. How is it to be paid for?

Mr. Kim Roberts the main author of the strategy paper, identified the kinds of information the group felt were important, and should be made available, and also the various government departments that would be affected:

- pre-planning studies for development projects
- feasibility studies for resources, transport
- minutes of advisory committees
- consultant reports
- pesticide legislation
- egg mass counts from spruce budworm
- wildlife mortality statistics (e.g. 1976 bird kills)
- jurisdictional responsibilities (i.e. who is responsible for what, for example Ontario government/Ontario Hydro/AECB/EMR, etc.)
- toxic chemical concentration study data
- information relevant to the Clean Air Act/Fisheries Act; emissions data and effluent data
- a further list is in SOS Montreal, V, 1., p. 22, (January 1980)

Departments that would be affected would be: EMR, DIAND, DOE, MOT, NH&W.

It was concluded that:

1. Present paper will be presented to the Minister as amended.
2. Mr. Kim Roberts (rapporteur) will draft a letter that can be used by ENGOs in regions or as a basis for a concerted lobby for freedom of information legislation.

MISCELLANEOUS ITEMS: before the groups reconvened for workshops in the afternoon, it was decided that there would be a planning meeting for EMR on Tuesday afternoon.

Mr. Garrick suggested that ENGOs should make a public announcement as to who the ENGOs are, what they want and where they are going. Mr. Easton proposed a press conference to bring to the attention of the Minister that nuclear power is a major environmental issue; also to call for a moratorium on further nuclear expansion, support the sit-in at Darlington, and call for a national referendum on nuclear power. No decision was taken on this until the following day, when a consensus was reached between the groups to have a press conference (Annex E). Secretariat).

#### (c) NORTHERN JURISDICTIONS

After a brief introduction by Mr. Bonfonti, Ms. MacPherson presented a paper (Annex C, Strategy Paper No. 3) on northern jurisdictions. The paper basically focussed on the Yukon and Northwest Territories rather than the northern provinces, because the federal government, through DINA, has the major power there. She had given special attention to examples of oil and gas problems because these are urgent problems environmentally and a lot of money is being spent in the north in developing these resources. The Northern Pipeline Agency (NPA) has overriding authority in the North, and NPA regulations have been a dismal failure as far as the environment is concerned.

Mr. Bregha pointed out that the most important failure was the lack of DOE presence in evaluating northern trade-offs. For example, DOE should be setting out for public discussion its evaluation of environmental aspects of tanker vs pipeline choices. But instead of using DOE as a source of environmental judgement, there is the odd spectacle of the Dene Nation in the Mackenzie Valley arguing with Dome Petroleum and its tanker plans on their respective environmental issues!

The most important questions DOE should be addressing, or ensuring that someone addresses, are:

1. Do we need the project what are the real benefits and costs and
2. If we need it, where and how should it be constructed to minimize environmental damage?

Ms. Rowell felt that Labrador problems should be included in main oil and gas concerns. Labrador oil and gas problems are particularly difficult because they are (i) offshore (ii) arctic and (iii) no one wants responsibility for environmental aspects of these due to the politics involved.

Mr. Fraser said that most provinces at least have Departments of Environment which are responsible for the northern parts of the province. It is urgent to concentrate on the Yukon and Northwest Territories due to lack of interest by the Territorial Governments in the environment. Therefore, it is most important that DOE take responsibility. Ms. MacPherson mentioned that the Department should capitalize on all opportunities to increase protection of the environment and better long-term use of resources. Revision of the Placer Mining Act in the Yukon is an excellent opportunity. It is the best opportunity for decades to introduce new environmental regulations by legislation. Instead of being stymied by these developments, push is required by DOE officials to make environmental concerns public. She urged that ENGOs should push top officials of DOE, and the public, to help the few DOE and DINA people who are genuinely concerned and are doing the best job they can.

After extensive discussion it was agreed by the group that land claims are an inseparable part of northern issues; however, the ENGOs' focus should be on the environmental problems. One of the unfortunate realities of the present situation was that until land claims were settled, native people would not take a significant part in discussions or solutions of environmental issues or questions. On a broader basis this means that:

- i) the input of some of the best environmental knowledge may be lost
- ii) government environmental protection regulations are either misconstrued by natives as an imposition, or are seen as paternal, or are used as evidence that government does not know the realities of northern life and natural resources.

Therefore, in the North at least, land claims settlement is an essential part of environmental protection and resource management. Quebec is the only province where land claims have been settled for better or worse; in that province now Indians and Inuit can take part in discussions on environmental questions on environmental grounds.

Mr. Otway did not think it was a good idea for ENGOs to get involved in land claim questions. The other delegates felt that in regard to northern environmental questions, there was no alternative.

In conclusion, it was decided that after the paper was presented to the Minister of Environment, the ENGO group should write to both Minister of DOE and Minister of DIAND.

#### (d) PUBLIC PARTICIPATION

Mr. Matheson introduced the paper he had prepared on the request of the Steering Committee and asked for a discussion on points that should be brought before the Minister. Ms. Olivastri reported that she had already had discussions with Departmental officials on the Department's proposed public participation process and while the process embodied many of the concepts they would like to see realized, she was disturbed that a draft policy on public participation had been developed without participation from the public.



Mr. Matheson touched on brief points in the DOE policy. He felt that the provision for regular meetings with Departmental officials was an excellent development, but the financial provisions to enable ENGOS or public to take part were insufficient to make the process a useful one. Mr. Glenn was skeptical about the proposed policy having any real effect. He noted that both the Minister and the officials of the Department had met with the ENGOS on several occasions but the exchange of real information was very limited and there was no indication that policies or department programs were changed as an outcome of these meetings.

Mr. Matheson felt that two essential elements of effective public participation were: first, that there must be opportunity for ongoing informal contact between ENGOS and the Minister or Department, as well as periodic formal organized contact; and secondly, that process must be one in which there is not only exchange of information, but also sharing of influence and responsibility.

The group agreed on nine main principles as outlined in Mr. Matheson's paper:

1. Public participation must be an ongoing process that affects all departmental decisions; not a means of securing public relations;
2. Public participation must apply to policy development as well as to specific projects and programs;
3. Public participation must involve the sharing of influence as well as exchange of information;
4. Public participation must be effective in planning and decision making as well as operations;
5. Public participation should be directed at examining all possible alternatives and not be limited to comparisons of the alternatives proposed by government;
6. Public participation should be adequately financed;
7. Public participation is effective only if there is freedom of information and access to information;
8. Public participation should not be limited to certain segments of the public but all citizens must have a right to participate;
9. There must be a flow of information from government back to public to indicate how public views are being interpreted and used and to keep the public well informed on further participation;

Ms. Penning suggested that an additional principle should be added that the government should be committed to involve the public, not just to approve a process for public information exchange.



The group discussed the desirable means of contact between the ENGOS and the Minister and the Department. It was pointed out that a single contact point was useful in making arrangements but "a public participation officer" must not become a spokesman for the ENGOS or the Department because that limited rather than facilitated informal and detailed contact. The mechanism must be one that allows frequent and significant contact at all levels in the Department.

The groups approved changes and additions to Mr. Matheson's paper; and also agreed to lay before the Minister a short paper containing three specific recommendations (Annex C includes the short paper, and also the longer paper with addendum).

TUESDAY, MAY 27

09:30 am

#### 4. DISCUSSIONS WITH THE MINISTER

- 4.1 Dr. Chant introduced and welcomed the Minister of Environment, Mr. Roberts. He told Mr. Roberts that the 300 ENGOS listed in the Canadian Nature Federation (CNF) Directory represent about half a million people, who are a very strong force in Canada. There were about 35 groups represented at the meeting, which had about 10% of total membership. Their annual budget is about 2½ million dollars, with almost no federal input. The main "budget" however, is not financial but consists of the thousands of volunteer hours and other assistance that members make available due to their deep interest in the subject. One of the problems faced by ENGOS is that governments have often looked at them as something to confront or as an obstructing force. DOE and CEAC view ENGOS as positive forces, carrying departmental messages to the country at large and providing a very useful leadership role.
- 4.2 Ms. Olivastri expressed the pleasure of the ENGO group at meeting with the Minister. She said that she felt he would find a difference in his relationship with public interest groups from that which he had found in his previous portfolio of Secretary of State. In that role, he had dealt with numerous citizen's groups who had special or unique interests and who had approached the government for support. The ENGOS, by contrast, were half a million people from all across Canada who had voluntarily formed groups whose objectives were the same as those of Environment Canada; they were dedicated to bringing about the same things the Department wanted to bring about - protection of the environment, better use of resources, more accountability and responsibility in government, industry and citizens. The ENGOS were not here primarily to plead for support, although they would be presenting a proposal for support in return for the value they could render on behalf of the Department. The ENGOS take a strong advocacy role, to achieve goals which they believe were shared by the Department. From this position they intended to give advice to the Department, to criticize it freely in a constructive way, but also to carry the Department's and Minister's message and see that it is put into action. She hoped that the positive relationship between ENGOS and the Minister of the Environment could be continued and strengthened. Their comments should not be interpreted as confrontation but as advice and recognition of the need to solve problems. She hoped that in the future it would be possible to get more than two hours of the Minister's time, so that they could discuss issues in more detail.

- 4.3 Dr. Chant told the Minister that the ENGOS would present four strategy papers and 11 environmental issues of concern: (Annex C)

STRATEGIES

1. Public Participation - George Matheson
2. Freedom of Information - Kim Roberts
3. Northern Issues - Nancy MacPherson
4. Environmental Assessment and Review Process - Beatrice Olivastri

ENVIRONMENTAL ISSUES

1. Reflection and recommendations on pesticide management in Canada - Daniel Green
2. Hazardous Substances - Bill Glenn
3. Forestry Management - Brian Harvey
4. Wildlife - Jim Bonfonti
5. Water Quality - Charles Mallory
6. Energy and the Environment - Susan Holtz
7. Control of Pollutants Causing Acid Rain and Snow - Rick Pratt
8. Nuclear Wastes - Gordon Edwards
9. The Urban Bicyclist and the Environment - Bob Silverman
10. International Affairs - Dana Silk
11. Financing - Daniel Green

4.4 PRESENTATIONS AND RESPONSES - STRATEGY PAPERS

4.4.1 PUBLIC PARTICIPATION - GEORGE MATHESON

Mr. Matheson introduced the subject of public participation, and said most importantly the ENGOS wanted the personal commitment of the Minister to the concept of public involvement in development of environmental policy. To improve the quality of public participation would involve change in attitude of both the public and public servants; this is greatly influenced by the attitude of the Minister. Mr. Matheson tabled an outline paper and requested action on three immediate recommendations:

1. Request absolute guarantee that there will be broad public consultation on all future policy development.
2. Essential funding will be promised to allow the public to participate in a meaningful way.
3. Departmental officials will be informed that henceforth they will be expected to encourage public participation. The public participation directive should be written and broadly circulated and publicly available.

The Minister positively responded to the above three points. He regarded the process of public participation not necessarily one of confrontation, and hoped that the ENGOs would play an advocacy role when there was a need for it. He hoped to be able to spend more time with the ENGOs the following year to discuss these issues in more detail.

Mr. Roberts' particular responses to the above three measures were:

1. A guarantee of full consultation in development of DOE policies. This would require consultation with other government departments and provinces from time to time.
2. Question of essential funding he felt was difficult. Mr. Roberts agreed with the general principle, but he did not think each ENGO could be funded. He suggested support of a national office but considered that as being only a partial solution. He said he would be willing to consider funding requests (without making any guarantee), but would like to know what kind of funding, on what basis and for what purpose.
3. Department officials have already been asked to provide access to environmental information - he assured the ENGOs to consider this instruction as already given.

Mr. Matheson told the Minister that the ENGOs had seen the Departmental Plan for support of public participation; they considered the resources proposed a joke. Mr. Matheson expressed to the Minister the hope that he would support public participation as his predecessors had done and had taken the proposals to Treasury Board (even though the proposals were turned down). The ENGOs hoped that Mr. Roberts would do at least as much and would not be turned down by Treasury Board.

#### 4.4.2 FREEDOM OF INFORMATION - KIM ROBERTS

Mr. Kim Roberts presented the views of the ENGOs on freedom of information. The ENGOs were in agreement that there was no reason for non-access to information on environmental matters. Mr. Kim Roberts said that ENGOs would like regularly published indices of all departmental documents containing environmental data or information. Some of the recommendations were:

1. Legislation now in process or in future be amended to ensure that full information be made available to all who wanted raw data or finished studies.
2. DOE be supplied, by regulation, with environmental data, so that present voluntary sources of information will not dry up when a comprehensive freedom of information law is brought in.
3. Proceed as fast as possible with a freedom of information law.



The Minister told the group that there is presently a directive that tells the Departments to release background information to Cabinet documents. In general he did not see any difficulty in providing what ENGOS had asked for, though he felt it might be difficult to supply a legislative base to ensure access to information, because it could conflict with other legal rights.

#### 4.4.3 NORTHERN ISSUES - NANCY MACPHERSON

Ms. MacPherson urged the Minister that DOE presence be increased in Northern Canada. She said that practice and experience showed that DIAND was development-oriented. Whenever DOE took a position on environmental matters and has confronted DIAND, DOE has backed out; for example at McKinley Bay.

Ms. MacPherson tabled a brief, and urged again that DOE should not abandon its role in the North. The brief emphasized several points:

- (a) Search and development of oil and gas: The present government does not have a strong enough stand in environmental matters in the North. NPA has a mandate to facilitate the building of a pipeline; the mandate is not to ensure environmentally sound development. There is no authority standing firmly for the environment.

DOE needs a stronger role in environmental control at each step from planning, exploration, development, production, transportation, etc. There is need for broad (not piecemeal) environmental assessments so that Canada can make real choices, so that it is aware of what the alternatives are. For example, an environmental assessment comparing the overall Beaufort Sea and the East Coast Offshore developments with environmental and economic costs would enable both politicians and the public to make better decisions. It is the role and duty of DOE to make such comparisons.

- (b) Placer Mining: DINA, DFO and DOE have been invited to participate in the revision of the Yukon Placer Mining Act. This is a very important and urgent step because there are no environmental provisions in the present act, and with the increasing price of gold it could be economical and legal to destroy thousands of environmentally fragile valley bottoms and steep slopes, in an area where biological recovery may be exceedingly slow and river systems permanently damaged.
- (c) Mining: Ms. MacPherson said that a mining development in the north does not have adequate environmental protection policy. ENGOS' were concerned particularly about the predicted increase in uranium mine development in NWT, northern Quebec and Labrador. With the absence of environmental control these developments may destroy northern ecosystems and upset the lives and futures of human inhabitants. The ENGOS wanted a moratorium on uranium mine development in the north until native claim issues have been settled and environmental policies designed for northern conditions have been established.



- (d) Hydro electric developments: The Northern Canada Power Corporation (NCPC) has spent millions of dollars on engineering studies, but almost nothing on environmental effects; this is a cause of great concern to the ENGOS. The data collected by NCPC is secret and not available for analysis by ENGOS or by government department officials.

Ms. MacPherson urged the Minister to i) meet with the Minister of DINA and find a way to ensure that information on hydro electric power planning is made available to the public and to his own officials; ii) ensure that adequate attention is given to environmental factors; and iii) fund or undertake the comprehensive Yukon River Basin study that has already been recommended by an interdepartmental committee to identify the full range of resource values, before further piecemeal development is approved.

- (e) International Northern Developments: The Minister was urged to give personal attention to the treaty presently being drawn up by the Canadian Wildlife Service and the U.S. authorities to ensure that the habitat as well as the present population of the Porcupine Caribou herd is protected, that there is adequate representation of all interested parties on the proposed International Commission, and that such a treaty does not pre-empt settlement of native claims if they have not by then been settled.

Ms. MacPherson said that the Minister should accept the recommendation of the government Steering Committee that the presently withdrawn "wilderness area" in northern Yukon be administered as a reserve under the Canada Wildlife Act, and urged that it be advocated publicly and personally by the Minister that its wilderness reserve status be maintained.

- (f) Comprehensive environmental strategy: Ms. MacPherson said that the Department should be instructed to give urgent attention and adequate resources to establish a comprehensive habitat conservation strategy for the north, which encompasses the major territorial and marine ecosystems of northern Canada, and brings together the mandates of the Canadian Wildlife Service and Parks Canada, and takes into account the principles and analyses developed under the International Biological Preserves Program, as well as territorial and other conservation areas.

Mr. Roberts said he was not entirely satisfied with present environmental protection in the north. He would like to see the DOE Northern role strengthened and clarified. Also the interdepartmental arrangements are not satisfactory. Mr. Roberts said he shared the ENGOS' general concerns, and would ask DOE officials to see what could be done. He concluded by saying, "All I can say at this time is that I would like to go in the direction you have indicated". Dr. Chant told the Minister that the ENGO concerns were the same as the CEAC concerns.

4.4.4 ENVIRONMENTAL ASSESSMENT AND REVIEW PROCESS (EARP) -  
BEATRICE OLIVASTRI

Ms. Olivastri said that specific suggestions and recommendations of the ENGOS regarding EARP had already been presented to the Minister in Strategy Paper No. 4. Some specific concerns that the ENGOS wanted to emphasize were:

1. The onus should be on the Minister and FEARO to demonstrate within three months that progress is being made to make FEARO more effective.
2. The ENGOS want a legislative base for FEARO, but not a legal base that would restrict its present effectiveness and its broad environmental/social orientation. The ENGOS did not want an NEB-type FEARO which is too rigid.
3. The question of need and impact are basically political questions, and therefore such questions require value input from the public, as well as technical input from experts and public.

This value input must not be applied only at the operational end; public value input must be felt when drawing up specifications and guidelines, as well as in the assessment and evaluation. This would be the most economical and effective way of ensuring that FEARO is doing what it is intended to do.

Ms. Olivastri said that the public was not getting through to FEARO, and FEARO is not getting through to the public. The public often feels like an outsider, consulted when needed or unavoidable.

The ENGOS made three specific recommendations:

1. A publication or public statement within three months, explaining how FEARO works and what changes are being made in response to the numerous serious criticisms and suggestions made over the past few years.
2. A formal statement that DOE sees itself as a public advocate for the environment.
3. There should be ENGO or CEAC input into selection of a new Chairman for FEARO; with consideration of setting up an ENGO committee advisory to the Chairman.

Mr. Roberts said he was not aware of a general feeling of a lack of knowledge on how the EARP process works, particularly since the ENGOS have been studying it carefully. He did not think there would be any difficulty in meeting the ENGO recommendations; however, the department would have to study what the hidden problems might be. Mr. Roberts expressed puzzlement that ENGOS thought that proper environmental assessment required an exposure to a multiplicity of concerns (he agreed with that), but at the same time the ENGOS recognized the need for some structure to bring views to the Minister in a coordinated way. Mr. Roberts agreed to that as well. But he wanted to know how both goals could be met. It appeared to him that the ENGOS were suggesting a multiplicity of "advocates" such as DOE, FEARO, ENGOS; - how were these to be coordinated? Mr. Roberts did not see any problems with seeking ENGO views on replacement of the Chairman of FEARO; but thought it may not be possible to have a representative of an ENGO on the final selection. Ms. Olivastri said that a formal consultation would be acceptable.

With regard to the question of legislative base, Mr. Roberts said he would like to see a firm legislative base for FEARO so that its operations could be independent of other parts of the government. He hoped that this could be moved as fast as possible, since there was general agreement that legislation was needed. It may take several years to move the new legislation into a formal Act of Parliament. Mr. Roberts said it would be useful to have ENGO consultation before the first reading. Ms. Olivastri said that ENGOS would be most pleased to comment if they were given the opportunity.

After the strategy papers were presented the ENGOS presented 11 environmental issues to the Minister. These papers were not the unanimous opinion of all present. Dr. Chant said that with the diversity of groups it would be difficult to have endorsement of all the ENGOS, and diversity of views was a valuable asset of ENGOS.

#### 4.5 PRESENTATIONS AND RESPONSES - ISSUE PAPERS

##### 4.5.1 ISSUE 1: REFLECTIONS AND RECOMMENDATIONS ON PESTICIDES MANAGEMENT IN CANADA - DANIEL GREEN

Mr. Green tabled a paper on this subject (Annex C). He said that ENGOS approve the ecotoxicity report of CEAC. The Department and the Minister should heed it, especially with regard to the present inability to deal with long-term and synergistic effects of repeated use of pesticides. A recent statement by the Canadian Agricultural Chemicals Association defines human progress as one where man adapts the environment to his needs; this is a non-ecological point of view. It attempts to maintain the status quo from an industrial point of view, but it increases environmental problems.



Mr. Green urged the Minister to support the CEAC document and create a federal pesticide commission at the national level with adequate public input. The Minister should also use his influence to modify the Pesticides Product Act to ban all chemicals that have a lasting harmful effect on the environment or the biosystems, and to have pesticide controls binding on governments and Crown Corporations. He drew Mr. Roberts' attention to the Fisheries Act, which binds the Crown to protect fish, but the Pest Control Products Act does not oblige the government to protect the people by regulating pesticide use in the provinces. This can be achieved by federal legislation. An example is the 2,4,5-T ban for domestic use in Quebec, and Quebec firms cannot import it from the U.S.A. This chemical is not banned in Canada, so Ontario distributors can import it and sell it to Quebec utilities who use it. This defeats the purpose of the Quebec law. Mr. Green asked the Minister to have 2,4,5-T banned in Canada based on the present evidence of its lasting harm to the environment. Also the use of matacil should be suspended until its environmental safety is established.

Mr. Roberts said that he had not read the CEAC report carefully. Regarding the Pesticides Products Act, he was not sure what would be involved in making the changes requested, but he would look into it. It might involve some constitutional changes.

Mr. Roberts said he was aware that fish were better protected than people. Perhaps that is the way it should be! He said that everyone wanted the environment to have adequate protection, and he shared the views of ENGOS regarding the need for consistency in the way the environment is protected from chemicals in different parts of the country. With respect to 2,4,5-T, he said that its use was restricted in Ontario; the sale to Quebec was a provincial responsibility under the present Act. However, he had noted the point. Mr. Roberts said he was not aware of the question of matacil and would have to enquire into it further.

#### 4.5.2 ISSUE 2: HAZARDOUS SUBSTANCES - BILL GLENN

Mr. Glenn tabled an issue paper (Annex C). He said that air and water pollution control legislation in past decades did much to keep down direct releases to the ecosystem but helped generate huge quantities of waste material needing alternative disposal. The most pressing priorities are to:

- 1) reduce the volume of wastes
- 2) control the type and variety of substances used and thus control what ultimately has to be disposed to the environment.

What was needed was registration processes to review and limit new chemical compounds and review compounds already in use. He felt it was not enough to set up institutions to monitor and control dispersal of toxic chemicals, without at the same time having a means to prevent their original introduction and manufacture.



Additional legislation is needed to safeguard the environment in relation to transportation of toxic materials, to require restoration of the environment which is damaged routinely or accidentally, and place responsibility on transporters and owners. The amendments to the Ontario Environmental Protection Act, the so-called "Spills Bill" cover some of the areas where action is also needed at the federal level.

Mr. Glenn said that ENGOS would like DOE to emphasize the 3 R's of reducing the waste problem - reclamation, recycling, and reuse. Also they would like strong DOE action to promote regional toxic waste disposal centres. This is mostly a provincial responsibility, but it may not come about without federal action, especially in developing technologies and encouraging the provinces and the municipalities to undertake the specialized task of detecting and handling the particularly difficult materials. Federal lands could be used for such sites, under adequate EARP protection.

Mr. Roberts said that DOE would assist provinces in the development of waste disposal sites. He recently had discussed this with provincial Ministers in Halifax. There are instances where Crown lands could be made available under EARP.

DOE is also considering environmental amendments to the Transport of Dangerous Goods Act. Regarding registration of new chemical compounds, this is an international problem, and should be addressed on a world-wide basis. They were making progress on this; at the time of this meeting the Deputy Minister was in Paris chairing an OECD meeting on this topic. Canadians are very concerned about this topic, and will make a national and international effort to resolve it.

#### 4.5.3 ISSUE 3: FORESTRY MANAGEMENT - BRIAN HARVEY

Mr. Harvey stated that ENGOS were aware that the utilization of forests is under provincial jurisdiction. But the federal role with regard to forests goes beyond just the harvesting of trees, and in the paper tabled (Annex C) they pointed out areas where the federal ministry of Environment could help improve forest management in Canada.

Canada has a bad "track record" with regard to forest management. Canada's backlog of burnt, cut-over, neglected, diseased or degraded forests does not do credit to the important part that forests have played in generating and maintaining the wealth of the nation. And it shows that the present laws do not, in the end, sustain the forests. He felt it was crucial to put the forests back on a healthy and productive basis. They realized that to do this would require an exceptional effort - much dedication and much funding - but it was necessary as a long term investment that would pay off well.

There are several presently dangerous trends, including:

- a) Over-harvesting of soft-woods, and no mechanism for putting the pulp and paper industry on a sustained basis;
- b) Canada is facing severe hardwood deficits. The present criteria for determining "allowable cut" need fundamental revision, with emphasis on how much the forest can supply on a sustained basis, not on equitable apportionment;
- c) As mechanization increases, not only does the employment factor decrease, but the damage to the forest ecology increases; this should be recognized in forest management policies.

The ENGOS feel that the use of insecticides to control forest pests is an inadequate, unreasonably dangerous means of control, and they urge DOE to take an ecologically based position on forest pesticides. Also the use of pesticides should be assessed by DOE, not by the control agencies who are concerned with the immediate effect on target species.

ENGOS feel that the Canadian Forestry Service is not impartial concerning the ecological and health risks of chemical forest control, and ENGOS ask that if the CFS concern for environment cannot be improved, then environmental responsibility for forests be given to some other part of the Department.

Mr. Roberts said he had just presented a major speech on forest policy in Montreal. He felt elements of that speech may be of interest to the ENGOS and might answer some of their questions. DOE will focus on the reforestation problem. He admitted that Canada has a bad track record. In part this may be due to the Canadian tax policy. The management of forests is in provincial hands, as most ENGOS were aware. Canadian Forest Service has suffered since 1977 through repeated financial and personnel cuts due to government restraint. As Minister, Mr. Roberts was determined to bring the decline to a halt. The announcement of the appointment of a new Assistant Deputy Minister for Forestry is to be made soon. He said the federal government can be particularly helpful on the research side of forestry questions. Mr. Roberts concluded by saying he would like to come back to discuss with the ENGOS a whole range of issues that were raised at the meeting.

#### 4.5.4 ISSUE 4: WILDLIFE - JIM BONFONTI

Mr. Bonfonti said that the recommendations the ENGOS tabled (Annex C) put emphasis on the protection and preservation of wildlife habitat as the most important long-term factor in protection and maintenance of wildlife in Canada. There are two main issues:

1. jurisdiction
2. enforcement of protection measures

To live up to its name and the public perception of its mandate, DOE must be a continual watchdog for nature across a broad spectrum. Departmental officials need ministerial directive and support to carry out this role.

ENGOS are aware that the commercial entities that influence or oppose environmental law are powerful and can easily get strong short-term economic and political arguments for which the whole country suffers in the longer run. Government operations themselves often contradict their own rules and environmental logic - e.g. they feel that the B.C. Forest Service regularly breaks the Fisheries law with regard to slashings disposal. Salmon enhancement programs have been launched at taxpayer expense without a complementary control on forestry practices which can make the salmon habitat unproductive.

The ENGOS urged the Minister to take a responsibility for the environment in its entirety. There were twelve specific recommendations in the issue paper and action could be taken quickly on them. The motto of the Sierra Club of Western Canada is "Not blind opposition to progress, but opposition to blind progress". He felt that the Department could endorse that philosophy and improve resource management.

Mr. Roberts agreed that to be effective, DOE needed clarification of its mandate, and perhaps extension of it. It also needed legislative power. But he said that even with the present restraints he was sure DOE could do a lot. He would have the recommendations carefully studied.

#### 4.5.5 ISSUE 5: WATER QUALITY - CHARLES MALLORY

Mr. Mallory presented his issue paper (Annex C) on water quality. He said mankind, which depends upon clean water, has shown a unique ability to destroy and degrade water quality. Canada has an enormous natural water heritage; yet with a comparatively small population and large area Canadians have poisoned and polluted much of it.

Twenty years ago Rachel Carson helped alert environmental consciousness by showing the effect on aquatic systems of the widespread use of pesticides, and one of her best documented cases was the effect on salmon in New Brunswick of the aerial spraying of spruce budworm pesticide. Other problems have come rapidly behind - acid rain, nitrate and phosphate run-off from non-organic farming, leachate from toxic and radioactive mine wastes, a whole host of municipal and industrial wastes. Yet not even the earliest identified problems have been satisfactorily solved.



The approach to maintaining water quality should be based on the fact that the cost of removal or treatment of effluent at source is much less than the cost of environmental damage or clean-up. Society must accept that clean and useable water is not free, but that dirty water is much more expensive.

The federal government has large powers in this area, as well as the provinces. The Fisheries Act, and navigation and boundary waters responsibilities, with the Environmental Contaminants Act, give adequate means to control water quality. The ENGOS urged the Minister to use the powers in the interests of both people and fish. What is needed most of all is a strongly expressed government commitment to protect the public interest. This requires attention not only to the concerns and needs of polluters and public agencies, but to the public at large and to ecosystems whose specific use by the public is not identified but whose value cannot be doubted. It means that data must be open to public inspection and the public should be involved in water quality evaluation.

4.5.6 ISSUE 6:  
ENERGY- SUSAN HOLTZ

Ms. Holtz gave the Minister the basic position of the ENGOS on energy, which was that an increase in the efficiency of energy use was basic to success in meeting all other problems of environmental quality and resource management. As long as an increase in energy supply is accepted as a national goal, all other environmental and social goals become more difficult to meet, and environmental costs rise. The national goals should be strongly and fundamentally changed so that energy is developed and used in the most efficient way to meet social goals and maintain environmental quality and human health. The ENGOS tabled a statement (Annex C) showing that a change in policy emphasis from energy supply to energy in its most efficient or useful form will lead to better use of energy resources, reduction of environmental costs, better value from other national resources, and soft energy paths which lead to better distribution and decentralization of costs and income.

The ENGOS asked the Minister of the Environment to:

- i) ensure that DOE has input into federal policy directions in the energy field
- ii) ensure that all energy developments are subject to appropriate environmental assessment processes
- iii) ensure that all federal policies are scrutinized to determine their amenity to a commitment or opportunity to lead to a "soft energy" future, in order to reverse the present trend to further entrenchment of an unsustainable energy-wasting social and economic system

- iv) increase the DOE funding of research, development and promotion of renewable energy technologies.

Mr. Roberts responded by saying that DOE is presently active in renewable energy and exploring soft energy alternatives. It has a biomass energy program, and DOE scientists are working on wind and solar energy programs. DOE believes in the "soft energy path". He said he would discuss with Mr. Lalonde the ENGO recommendations.

#### 4.5.7 ISSUE 7:

##### CONTROL OF POLLUTANTS CAUSING ACID RAIN AND SNOW - RICK PRATT

Mr. Pratt mentioned that ENGOS were aware of the concerns of DOE about the problem of acid precipitation, and the difficulties in putting into place practical proposals to control sulphur dioxide emissions. The ENGOS know of the Canada-U.S. discussions on this problem.

ENGOS feel strongly that substantive action by Canadian authorities to control SO<sub>2</sub> discharge in Canada, regardless of the proportion of the total generated in this country, is a pre-requisite to tough and successful bargaining with the U.S.

The ENGOS feel that as federal Minister of the Environment he should take the following steps:

1. Hold all Sudbury (not just INCO) emissions to their present actual levels, even if the plants return to full capacity production.
2. Make public the background studies that lay behind the INCO Control Order.
3. Establish a firm goal to reduce all SO<sub>2</sub> discharge in Canada to less than 50% of present levels, within ten years.
4. Intervene, as Minister of the Environment, in the U.S. EPA review of air quality criteria.
5. Ask External Affairs to make the Canada/U.S. negotiations on acid precipitation open to the public.

Other recommendations are in the paper tabled to the Minister (Annex C).

The Minister said that there has been action and some progress on this issue. It is an enormous task. INCO has been instructed to cut its SO<sub>2</sub> to 50% not in ten years, but in 4 or 5 years. He is anxious to press the subject vigorously. Canada is negotiating with the U.S. He assured the ENGOS would be kept in touch with developments. He said they were asking first for implementation and enforcement of present U.S. regulations, which if enforced, would do much to reduce the problem. This has been discussed with Secretary of State Vance when he was in Canada, and then with Mr. Muskie. The Canadian Ambassador has presented the

Canadian position in Washington, and it was also a subject of discussion in the Minister's own visit to Washington. He did not expect any dramatic action or commitment on the part of the U.S. before their next election in November. He agreed wholeheartedly that tidy-up of Canadian emissions and enforcement of Canadian regulations was a prerequisite to successful talks with the U.S. He also believed (but could not be positive) that it was announced that the INCO background study would be made public. On the whole acid rain question, he felt very strongly that:

- i) there was need for proper research
- ii) there was need to press the U.S.
- iii) there was need to press the provinces to clean up their own regulations and enforcement.

4.5.8 ISSUE 8:  
NUCLEAR WASTES - GORDON EDWARDS

Dr. Edwards felt that aspect of environmental concerns related to nuclear power that he wished to lay before the Minister was one of misplaced priorities.

Considerable attention is being devoted to high-level wastes, which pose a severe political problem for the nuclear industry and the control authorities. A much greater problem, but one which is getting inadequate attention, is the problem of so-called "low level" wastes. These are the wastes such as mine and mill wastes whose specific radioactivity is lower than that of the nuclear fuel residues, but still is higher than in national areas or because of their finely broken state much more readily released to the environment. Because of their large volume they contain much more total radioactivity than the high level wastes, and because of their volume and widely dispensed locations they present a greater environmental threat. All are alpha emitters, thus damaging to biological life. Most have a very long radioactive life. It is ironic that radium, when first discovered felt to be one of the most precious and most valuable elements, is now such a troublesome waste product.

There are at present more than 100 million tons of low-level wastes in Canada. They cannot feasibly be "treated" and so the release of this radioactivity to the environment has to be controlled at the sites where they are presently dumped. He tabled a paper (Annex C) outlining the problem and action that could be taken.

Dr. Edwards said that the greatest nuclear accident in Canada, and possibly anywhere, was the failure of the Churchrock Dam near Elliott Lake, which released millions of curies of radioactivity into the aquatic environment. Yet it did not achieve much attention because there was no policy or rule protecting the environment from such a mishap. Yet this was a new dam, built on good engineering principles. He recommended that the Minister take urgent action in four areas:



1. It was essential that DOE get control over the environmental criteria governing nuclear waste. AECB has no open criteria in this regard.
2. ENGOs felt it would be sensible to announce a moratorium on the licensing and sale of all new nuclear facilities until at least one safe method for permanent disposal of all associated radioactive materials has been demonstrated.
3. Arrangements should be made for funding for nuclear waste research and testing to come from the producer. The cost of making this technology environmentally safe, or of proving it so, should be part of the direct cost of producing energy by this means.
4. There should be identification of other (non-nuclear) orebodies that contain radioactivity and appropriate environmental controls developed.

Mr. Roberts said regarding area (1) he agreed that the present combination of standard-setting and regulatory power in one agency, AECB, was not good in principle. Regarding the other areas that were mentioned, he felt that there was need for a study, possibly in conjunction with the Department of National Health and Welfare, to assess environmental and health aspects of waste management.

Mr. Roberts personally supported the idea of a Joint Parliamentary Committee, or even better perhaps, a Royal Commission for public scrutiny of the whole question of nuclear power development and control. He said he was pressing for acceptance by Cabinet of such an inquiry.

#### 4.5.9 ISSUE 9:

##### THE URBAN BICYCLIST AND THE ENVIRONMENT - BOB SILVERMAN

Mr. Silverman read his paper verbatim (Annex C). He presented a published paper and calendar on bicycling to the Minister. He requested that the Minister of Environment take the following action:

1. Bicycle parking be made available at all federal buildings, with abolishment of free auto parking.
2. Bicycles have access to federally regulated tunnels and bridges.
3. Compensation be given to employees who use bicycles, at rates comparable with car allowances.
4. Bicycles be used as couriers for government business.
5. Ensure bicycle carriage on trains, airplanes, interprovincial buses.
6. Construct a cross-Canada bicycle path network.

7. Construct bicycle paths at all canals, ports and linear rights-of-way.
8. Make concessions for bicycle rental at train stations and airports.
9. Portion of federal gasoline tax to be allocated to bicycle facilities as in Oregon.
10. Research institute be set up to investigate alternatives to cars in cities.
11. Create bicycle paths in all national parks.

Mr. Roberts said he was an occasional bicyclist himself and was sympathetic to Mr. Silverman's pleas. He noted that the pictures on the attractive calendar he was presented with seemed to have been taken on sunny days when the roads were bare. In Canada he said it is often not sunny and the roads are covered with snow and ice. He mentioned that the prospect of bicycling in February was not covered in the pictures. However, he said he would ask Mr. Simmons to check on whether the recommendations suggested could be implemented.

4.5.10 ISSUE 10:  
INTERNATIONAL AFFAIRS - DANA SILK

Mr. Silk said that most Canadian ENGOS have focussed on domestic issues. But as the organizations mature they become aware that all major environmental issues have international implications. The ENGOS were serving notice that Environment Canada must improve the manner in which it deals with trans-boundary and global environmental problems. Canada's past record is poor - west coast tankers, Garrison Dam, Eastport-show how environmental issues fall victim to international politics between friendly neighbours.

Much higher public profile should be given to Canada's role in international environmental affairs, e.g. with UNEP. Canadians, even ENGOS, do not know what the Canadian government delegations is doing in international discussions on major issues, and they feel that the government delegation may not know what Canadian ENGOS are doing on the same issues. The objectives of Canadian activities in international environmental negotiations never were discussed publicly. The ENGOS asked the Minister to consider an ENGO representative on Canadian delegations to important international environmental activities.

The ENGOS are concerned about environmental impacts in other countries of the activities and programs of Canadian agencies and corporations. They want to know whether Canada is exporting environmental problems as part of Canadian foreign aid. The ENGOS wanted the Minister to ensure that projects funded by Canada and carried out in other countries are subject to adequate environmental assessment by a competent authority, as part of the condition of aid.

4.5.11 ISSUE 11:  
FINANCING

Mr. Lacombe presented the ENGOs views on financing. He said that representation of ecological groups has increased in the last decade - the ENGOs have grown in numbers, but even more in impact and influence. DOE owes its existence and continuing political support to this type of public concern and action.

The ENGOs have common interest with DOE, they would like to work with the Department above and beyond direct formal contact.

There are many ways of financing and support between government agencies and public interest groups. It was noted that Ministries of Transport, Energy, Mines and Resources, Health and Welfare, Justice, Secretary of State, Employment and Immigration, already have programs to work with or support public interest groups, while ENGOs have over the years found it difficult or impossible to get backing from DOE.

Therefore the ENGOs requested the Minister to instruct that within 3 months a proposition for a subvention policy be made to the Steering Committee of ENGO groups. This policy should contain criteria for the eligibility of groups. It should recognize two types of subvention:

1. subvention for operations of the groups
2. support of specific projects

ENGOs have made a plea for support many times before. Now it is felt that it is DOE's turn to respond.

Mr. Roberts said he would like to help. But he didn't have funds. He was convinced that there would be further cut-backs in the government budget.

He had in mind to try to achieve core funding for ENGOs. This would give them independence and make it easier for them to raise further funds on their own. But at present, there appeared little prospect of financial help.

For specific projects, there would be need for strict criteria. Sometimes even now a little money can be found to meet those criteria. All Departmental budgets will be cut back again. It would be futile to express promises that he may be unable to keep. DOE may be able to pitch in a little for a national office, and perhaps for some selected special projects, but not much for this year.

Mr. Lacombe wanted to know if DOE could intervene on the behalf of ENGOs to other government departments that could fund some special projects. Mr. Roberts did not think it looked promising. The government was presently reviewing a possible further 20% cutback throughout the federal system.



#### 4.6 CONCLUDING COMMENTS BY THE MINISTER

In conclusion Mr. Roberts said he hoped to be able to reply to each of the recommendations the ENGOS made, in each issue area, by letter or in some specific way.

He made two final points: The first was that there appeared to be four specific areas that had special importance for Ministerial actions, because these were areas where the federal Minister had an obvious responsibility for action or study on an urgent basis:

1. Acid precipitation
2. Transport of hazardous or toxic products
3. International registration of chemicals
4. CO2 problems as they relate to future energy and industrial strategies

The second point was with regard to FEARO. He felt that there was a strong sense among ENGOS that there were serious inadequacies in FEARO. He agreed that it needs its own mandate, and that it must be able to inject itself and EARP wherever it feels it is needed.

FEARO and EARP need to be more visible, and there must be greater understanding of it by the public, and broader public participation in it. He was grateful for the frank and informed comments he had heard.

Mr. Roberts thanked the ENGOS for their presentations. He hoped that when he met them again progress would have been made on some of these points.

(The Minister then departed.)

#### 4.7 GENERAL DISCUSSION

After the Minister left a general discussion followed which ranged from a feeling of satisfaction that the Minister had listened carefully, that most points had been well made considering the brief time available and that his replies showed a good grasp of the problems and a good attitude, to feelings of frustration that a two-hour discussion is just not acceptable and that if the Minister cannot give the ENGOS more personal time, it is not worth going through all the preparation and assembling from across the country to go through the process again.

Some felt that the feeling of helplessness was due to the brief, once-a-year meetings. This showed the need for a formal ENGO lobby office, Washington-style (such as that maintained by the Sierra Club) where ENGO representatives could learn how to influence the government.

Ms. Holtz said that the wide range of topics so briefly presented brings up the question of the benefit of such a broad variety of groups working together. She found the cross fertilization very valuable for her own interests, but it may show a need to "group" issues, and to meet several times in advance to present their cases in a way that they could not be deferred or dodged.

Mr. Saunders said this showed the need for an on-going process leading up to the meeting with the Minister. He felt the ENGOS must have some input to the allocation of funds within the Department, and if the ENGO efforts are to be useful, they must have influence on how emphasis is put on one program or another.

Mr. Royer thought it would be useful if ENGOS could identify now the key issues they would like to bring up next time so that the groups could take them back and really prepare for them for the following year.

Mr. Green suggested that the groups should start with areas that the Minister and Department identified as their priorities. At least in those areas the Department would have to give a response. Also, in future the ENGOS should use the occasion of the Ottawa meeting to make public statements or get publicity in the name of the 35 different groups that come together.

Dr. Brink said the ENGOS should also use the Department to give them a lead on perspectives that they don't see as priority - for example the CO2 problem mentioned by the Minister.

Ms. Holtz pointed out that CO2 was mentioned in the energy document. The ENGOS must be careful about government priorities. She said she saw the government using DOE worry about CO2 as an argument to promote nuclear power. How should ENGOS handle that; - should they take a stand on both sides?

Mr. Saunders agreed that the groups have to be careful, and DOE should not be telling the ENGOS what the important environmental issues are.

THE MEETING ADJOURNED FOR LUNCH.

Tuesday afternoon

5. PLANNING FOR 1980-81 AND BEYOND: NATIONAL STRUCTURE FOR ENGO'S

- 5.1 The Chairman of the Steering Committee, as a result of informal discussions during the meeting, presented the groups with a number of "topic headings" that should be considered in determining the future program and structure of the collective ENGO activities, and asked for suggestions and discussions under each of these. She suggested that it was necessary to become more clear where the groups stood with respect to these topics, many of which came up importantly in connection with preparation of the position papers for presentation to the Minister. After the groups have discussed these, the meeting as a whole should be in position to decide the future responsibilities of the Steering Group and then choose a new Steering Group. She recommended that after the topics had been decided, the meeting break into regional and national-organization "caucuses" to come up with recommendations for action and nominations for the Steering Group.

The main topics selected were:

Mandate for a national structure for ENGO's

Proposal to establish some sort of national structure or activity

Priorities for the collective group or structure

Transition from a CEAC-hosted annual meeting to an independent ENGO collective activity

Financing of collective or co-ordinated activities

Participating Groups who would be included, under what criteria?

Full Meeting of the collective groups - how often, when, including who, for what purpose?

Executive to control or direct the common or collective activities.

- 5.2 After identifying a number of separate points under each of the above headings, the participants broke into a number of caucuses, representing

British Columbia ENGO's

Prairie Region ENGO's

Ontario-based ENGO's

Quebec, ENGO's

Atlantic Canada ENGO's

Northern-based ENGO's

ENGO's with country-wide or national orientation.



### 5.3 Plenary discussion of Planning Topics

5.3.1 At the opening of this session, Dr. Chant was asked to say a few words reflecting on the CEAC view of the meeting so far.

Dr. Chant made two points, preferring to leave it to Mr. Beck to summarize CEAC impressions at the end of the meeting:

- i) He felt that the Minister had not understood how much careful thought and understanding of the current situation had gone into the request for funding. He felt that CEAC itself could help to put the ENGO need for funds into perspective with other demands on Departmental resources.
- ii) He wanted to express his personal feeling that the Steering Committee, and especially its chairperson, Ms. Olivastri, had done an excellent job in preparing for the meeting, making presentations to the Minister, and in bringing together the diverse organizations so that they could have co-ordinated strength without losing their separate individuality.

5.3.2 The separate "caucuses" then reported their discussions. Most approved the main ideas or recommendations listed previously under each topic. Some individual responses were:

5.3.2.1 British Columbia reported a problem in identifying which groups to include in an effective ENGO movement. There were some four thousand listed "public interest" groups in B.C., most of which had an environmental content or bias. They hoped to be able to work mainly with groups that were either:

- i) broad based in environmental interest; or
- ii) coalitions of several groups.

On their return to B.C., the Steering Group representatives would notify all groups that it was feasible to reach, and then to make a decision on the nature of the national or central organizations. They felt that the Steering Committee members should be selected within the regions. B.C. felt that it should have more delegates to the national meetings, and asked for 8 places. They felt that this was particularly justified under the recent government in which western MP's were not represented.

B.C. felt that an "annual" meeting should last longer than three days. It should provide means to follow-up on controversial items that developed, and have more time to meet with the Minister and senior government officials.

They felt that the ENGO Secretariat should have a part-time administrator and a full-time secretary. It should be able to use Ottawa as a source of information, and not mainly as a locale for action or pressure. The B.C. delegation questioned the appropriateness of representatives of "national" ENGO's having a special place on the Steering Group. They asked that a ceiling (say 4 members) be put in the representations of national organizations at the annual meetings, to ensure that adequate attention is given to regional groups.

5.3.2.2 The Prairies delegation emphasized that the over-all goal of the annual meetings was for the various groups to meet one another and build a basis for common action. The approach and the structure should be kept flexible to meet that end. The Steering Committee's mandate was seen to be simple:

- i) to organize periodic meetings of representatives of all groups;
- ii) to identify issues of concern to all;
- iii) to follow-up on recommendations determined by the ENGOs together.

The year's activities should be focussed around the annual meeting. During the transition period, the ENGOs need a DOE contact person. It also needs arms-length contact with CEAC. Financing should be sought in two areas: (i) long-term financing for the central organization or a commitment to continuing "annual meetings", and (ii) financing for regional meetings.

The Prairies group foresaw no problems in identifying who should be included in the collective ENGO activities. "Any group that considers itself to be an ENGO is qualified". They felt, however, that the "national" groups should be represented through the regions.

5.3.2.3 The Ontario caucus felt that candidate groups to the ENGO "association" should be obliged to make a case to show the extent of their environmental interest before the group as a whole. This would mean that a "new" group would have observer status for one year before it was fully accepted. They also felt that membership should be limited to non-profit groups.

Ontario felt that the ENGO Secretariat should remain strictly a support function. In no way should it be a headquarters group speaking for ENGOs, or a lobbyist.

The mandate for the national organization should stress the need to develop a framework for ENGO approach to, and influence on, the Minister. As part of this, there should be developed some formalized "educational" sessions on related issues each year. They felt that it should be the responsibility of the Steering Committee to determine what issues are to be presented to the Minister, and what ones become the topic of the information sessions.

The Ontario groups perceived an early need to clarify the relationship between the "lobby office" of the Friends of the Earth, and any ENGO secretariat office that might be developed.

For the "transition" period, the Ontario delegation did not favour the establishment of formal DOE liaison persons. Such a system tends to become too "departmental"; and experience with EMR in this respect is not satisfactory. Instead, they proposed that, for example, two members from ENGO's should sit on CEAC.

Regarding representation, the Ontario concerns pointed out that the interests and priorities of so-called "northern Ontario" - i.e. the 85% of the province that lies west of the Collingwood-Renfrew line - are quite different from those of the more populous "southern" Ontario, and asked that consideration be given to separate representation.

5.3.2.4 The Quebec delegation felt that the groups were too modest in their statements of goals. They felt that the "annual events" should be more ambitious, with more publicity and more action. The goals should include:

- i) meet each other - exchange and determine priorities
- ii) meet Ministers - press for action and responses
- iii) meet the Prime Minister - get "top" attention to environmental problems
- iv) make the meeting a media event - show the importance of environment
- v) meet different groups with associated interests e.g. agriculture
- vi) make it educational and consciousness - raising - e.g. hold public meetings, stage exhibits, have environmental festivals at time of annual meeting
- vii) use the occasion to visit researchers, laboratories - find out about progress in environmental subjects.

With respect to mandate, the Quebec group felt that it was the over-riding responsibility of the Steering Committee to organize the annual event. It was necessary for the Steering Committee to discriminate clearly between those areas where decisions were necessary, and those where positions should be developed at meetings.

In the transition away from direct CEAC sponsorship, it would be necessary first to be able to organize regional meetings.

The range of participating groups, and the means by which they were tied together, would take some careful working out. The Quebec group preferred the lowest workable level of formal organization, and hoped for something "looser than an association, tighter than a network".

With regard to a central secretariat, the Quebec group did not support the idea of a permanent secretariat in Ottawa. Such an office tends to develop a life of its own. They suggested instead that the Steering Committee let a contract to one of the established groups to organize for an annual meeting, or even the Steering Committee itself be given resources to run its own secretariat on a year-by-year basis.

5.3.2.5 The delegation from Atlantic Canada felt it important in working out future programs, not to separate energy issues from environmental issues. They felt this had happened, perhaps inadvertently, in the present meeting. They recommended that in future, more time should be spent on specific issues, with correspondingly less emphasis on broad "process" topics. Despite the government's current financial situation, they felt that the idea of long-term funding for ENGO's should still be pushed vigorously.



The ENGO's must not get caught up in organizational matters, and must keep in mind that their over-riding objective is the furtherance of environmental quality. To achieve this, they must pay more attention to how to group regionally around specific issues.

The Atlantic group felt that the annual meeting should provide more free time for press conferences and for members to meet with bureaucrats. They would like smaller group sessions. They feel there should be further guidelines on the structure and nature of the meetings, and more advance documentation.

The Atlantic caucus suggested that each member of the Steering Committee have a designated alternate from the same region, with whom the representative would work closely throughout the year.

- 5.3.2.6 The Northern group reported that although the environment of Yukon and Northwest Territories had much in common with that of the northern parts of several provinces and shared many environmental problems, the fact that the Territories had dominant federal control, with over-riding power in DIAND and absence of organized environmental responsibilities in the Territorial governments, meant that the priorities and kind of action needed in Y.T. and NWT were quite different from that in the rest of Canada. Therefore, they recommended that the "northern group" be restricted to the Territories, and that the provincial representatives be the spokespersons for all of their respective provincial territories. They recommended that northern environmental issues warrant four delegates, two each from YT and NWT.

The northern group suggests that the annual meeting be a four-day event structured perhaps as follows:

- day 1 - emphasis on education and information exchange - a fair with exhibits, talks on current issues, etc.
- day 2 - workshops to develop positions on selected issues. Focus on need for environmental policies, accountability for actions
- day 3 - plenary discussion on workshop positions. Cover both issues and processes.
- day 4 - lobby day with Minister and officials.

The northern group felt that each region should select its own delegates, as long a time as possible in advance of the annual meeting. They agreed with the general statements of mandate, priorities, and the establishment of a continuing secretariat in Ottawa.

5.3.2.7 The representatives of the National Groups reported that they had spent some time discussing the criteria for inclusion of groups within the ENGO collective activity. They felt that the prime focus of the collective ENGO exercise must be the protection of the environment and enhancement of environmental quality. Thus, groups such as those seeking to change energy decisions or assert native rights could be included if the reason for their position was primarily environmental, but probably not if the main position was (say) in the industrial or social justice field. To qualify as a "national" group, an ENGO should

- i) have demonstrated country-wide-ability, interest, and fields of action, and
- ii) have representatives in most or all regions.

Their reaction to the "proposal" and goals was that the group should openly state that it meets in Ottawa once a year, mainly to meet among themselves and exchange priorities, progress, and develop common or co-ordinated positions, but also to meet directly with the Minister and senior government officials.

The "mandate" of the organization should be to:

- facilitate concerns on matters of shared interest;
- further self-education and exchange of information;
- facilitate means of influencing those in authority.

It was the responsibility of the Steering Committee to identify and place priority on major issues, suggested by separate organizations, to which a majority of ENGO's could respond. It should also see that specialist or merely regional issues were not reflected.

The national groups felt that collectively the ENGO's still should press for long-term commitment by the federal government to financial support, under firmly established rules and criteria.

This financial support should be applied in three areas:

- i) financing of participants to attend an annual meeting;
- ii) financing the on-going operations of the organizations;
- iii) the holding of regional meetings;

The caucus of national ENGO's felt that the role of the secretariat would inevitably be largely in the area of financing, assuming that financial support for ENGO's eventually becomes a reality. The secretariat would also have to organize the annual meeting. They suggested that consideration might be given to staffing the ENGO secretariat through a staff position of DOE in Ottawa, if it were impossible for the ENGOs themselves to get funds to employ a person.

The national ENGO's felt that more should be done to improve the effectiveness of real communication between ENGO's and the Minister and his officials. It should be made convincing that ENGO's can help the Ministry improve its own program; this in turn should improve the financing of ENGO's and help the ENGO's understand better the financial problems and priorities of the Minister.

The national groups did not feel that contract work given by government departments to non-government groups should in any way be looked on as a substitute for direct support of the groups. Contracts to non-profit or volunteer organizations cause many difficulties.

On another subject, the national groups felt that the annual meeting should be enlarged to include meetings with other ministers. A good start was made with this meeting in the planned visit to EMR.

5.3.2.1 (addendum) The representative of the B.C. ENGO's made further comments to the effect that the secretariat would have to be totally independent and autonomous, both from government and from any single ENGO. The secretariat would not make decisions or take positions but would express the positions of the steering committee or of separate regions.

5.3.3 Dr. Brooks (FOE) felt that there were many contradictory or conflicting points in the reports of the different "caucuses". There were many positions with which he could not agree. He felt it was essential to have those positions in writing, and distributed to all participants for discussion.

5.4 Mr. Beck (CEAC) pointed out that, following from the meeting with the Minister, the ENGO's present now had a duty; that was the need to follow up their oral presentation and tabled papers with a concise letter to the Minister, which listed the principal recommendations. This is one job for the Steering Committee and it should be done promptly, to maintain their own credibility and effectiveness.

5.5 Mandate of the Steering Committee. After considerable discussions, it was agreed that the mandate of the Steering Committee would be:

1. Prepare reports which the participants could take back to their regions, arrange for distribution, obtain feedback from the regions. Define areas of disagreement.
2. Arrange future national meetings.
3. Follow-up with the Minister on items presented to him in 1980.
4. Arrange regional information sessions.
5. Identify priority issues for co-ordinated ENGO action.

#### 5.6 Immediate Financing

Mr. Fraser (Yukon Conservation Society) asked whether the groups should proceed with plans for a next meeting, with or without financing. The chairman felt that the ENGO's had been encouraged by the Minister and CEAC to go ahead. She did not know whether CEAC would "host" again or not, but chances of support were best if ENGO's were well organized.



## 6. ELECTION OF STEERING COMMITTEE

The following were announced elected by their respective groups, as members and alternates of the Steering Committee for 1980/81.

| <u>Member</u>          |               | <u>Alternate</u> |
|------------------------|---------------|------------------|
| Northern               | M. Fraser     | N. Macpherson    |
| British Columbia       | D. Garrick    | Fred Easton      |
| Prairies               | B. Starzenski | J. Graves        |
| Ontario                | D. Saunders   |                  |
| Quebec                 | C. Mallory    | D. Green         |
| Atlantic               | S. Holtz      | E. May           |
| National Organizations | B. Olivastri  |                  |

## 7. REPRESENTATION OF "NATIONAL" ENGO'S

A protracted and at times warm discussion ensued on the validity and justice of having country-wide or "national" ENGO's represented on the Steering Committee separately from regional representation. There were some delegates who felt that "national" groups inevitably came into conflict with regional groups, and that "national" groups tended to centralize the ENGO power at the expense of the local organizations. Others felt that there was no essential conflict, and that the spectrum of environmental problems, on all scales in Canada required a spectrum of ENGO's on all scales. It was pointed out that the so-called "national" groups had a diversity of bases - CCNR in Montreal, Pollution Probe in Toronto, Greenpeace in Vancouver; two, Canadian Nature Federation and Canadian Arctic Resources Committee, had offices in Ottawa but chairmen who resided, as far apart as Halifax and Vancouver. To include these in the respective regional representations might result in weakening, not strengthening, regional ENGO's in the association.

The issue led to argument, and was clearly not tending to settlement by discussion at this time. The chairman who was a representative of a "national" group asked Mr. Mallory, from a regional group, to take the chair temporarily to see if the question could be resolved.

Mr. Mallory pointed out that the Steering Committee had already been given a mandate to identify areas of disagreement, and that it had a very fluid charge to recommend the structure in the light of the interest of all.

He recommended that (1) the group agree to a suggestion made during the discussion by Mr. Matheson(FOE) that the Steering Committee, as elected, carry on for one year, but the Steering Committee itself not be empowered to decide on the "legitimacy" of country-wide groups; and (2) the groups agree to Ms. Olivastri's suggestion that following distribution of minutes of the meeting, member groups be asked to initiate discussion on how the country-wide organizations were to be represented.

The meeting accepted these suggestions.

8. CHAIRMAN OF THE STEERING COMMITTEE

Ms. Holtz (EAC) suggested that the Steering Committee should meet that evening to choose a chairman, and the chairman pro tem, Mr. Mallory, reminded the members of the new Steering Committee that they were not excused at the end of the meeting.

9. CONCLUDING COMMENTS

Ms. Campbell (Sask.) as a new member of the group, wished to express her appreciation of a generally constructive meeting.

Mr. Pratt (CNF) who had been present at the three previous meetings, reminded members that the Steering Committee needs the support of every delegate, and asked members not to rely just on the Steering Committee for action until the next meeting is imminent. Mr. Green (Quebec) asked members to reflect that, despite differences of opinion, real progress has been made in four years, but the progress should be judged not in the organization but in the effect on the environment.

10. CONCLUDING CEAC COMMENTS

Mr. Beck (CEAC) then re-assumed the chair. He wished to leave the group with some final thoughts:

1. He felt that the group had succeeded in putting together a realistic "shopping list" of recommendations for action by the federal government. He urged the group to send a letter, within a week, to the Minister, to stress those recommendations. He asked that a copy of this letter also be sent to Council, so that it could take supporting action if it wished.
2. Regarding the proposal that had been made for representation of ENGO's on Council, Mr. Beck explained that no member of Council "represents" any group or organization. The Minister appoints members to Council on the basis of their individual personal ability to give advice on a broad range of topics. This does not preclude any member from being also a member of an ENGO but such a member would not on Council be a spokesperson for the ENGO or any other interest group.
3. He urged the groups to examine very carefully the Department's is suggested mechanism for public participation. It appeared to provide a means for close and regular contact. He pointed out that it provides for participation in regional meetings, and emphasized that in a very real sense, the significant Departmental action is in the regions. In the emphasis on an annual "national" meeting, perhaps the last two days had overlooked the opportunity that was there for regional ENGO meetings with Departmental regional people.

4. In reference to the suggestions that had been made for meetings that involve several Departments or Ministers, Mr. Beck pointed out that Treasury Board rules made it difficult for one Ministry to finance activities bearing on another. It would be inappropriate for example, for Council to arrange or support the meeting the next day with the Minister of EMR. The ENGOs had, properly, done that without involving the Council.
  5. Mr. Beck encouraged the groups not to give attention only to the federal government. He felt that if a routine and mechanism could be established between DOE and the ENGO's, this in itself should be helpful in discussion with provincial or territorial governments.
  6. Mr. Beck reminded the group what Mr. Roberts and Dr. Chant had both stressed: that it takes 18 to 24 months to have new legislation passed, and even longer before new regulations based on that legislation can be put into effect. There was much that can be done without, or pending, legislative change. EARP was an area where, although new legislation is desirable and likely, improvements can be made in the interim. Northern issues raised at the meeting were very pressing; they cannot wait for new laws.
  7. Mr. Beck thanked all those who had helped organize and conduct the meeting.
11. Adjournment The meeting adjourned about 17:15 to be followed immediately by planning session for the meeting with EMR on the subsequent day.



THIRD MEETING OF PUBLIC INTEREST GROUPS  
WITH THE CANADIAN ENVIRONMENTAL ADVISORY COUNCIL  
NOVEMBER 6-7, 1978

Agenda

List of participants

Summary of recommendations

THIRD MEETING WITH PUBLIC INTEREST GROUPS

NOVEMBER 6-7, 1978

St. Laurent Room, 11th Floor  
Place Vincent Massey  
St. Joseph Blvd., Hull, Quebec

AGENDA

MONDAY  
NOVEMBER 6

- 09:00    1. Chairman's remarks
2. Welcome: J.B. Seaborn, Deputy Minister, Environment  
              Canada

*Examination of specific problems related to the environmental decision-making process, based on the four position papers developed by the public interest groups. In each session, a panel of group representatives will discuss their concerns, activities and the effectiveness of these activities, and invite comments from participants.*

3. Wildlife and parks
4. Pesticides
5. Energy
6. Conserver society

TUESDAY  
NOVEMBER 7

*Factors affecting public participation*

- 09:00    7. Friends of the Earth: organization and objectives
8. Funding: constraints and criteria
9. Advisory councils: role and impact
10. Availability of information
11. Regulatory agencies: procedures and scope
12. Summary
13. Role of Environment Canada: a synthesis of the views  
              of the public interest groups, with positive  
              suggestions.
14. Closing remarks
- 16:30    Adjournment

THIRD MEETING WITH  
PUBLIC INTEREST GROUPS

November 6, 7 Novembre  
1978

TROISIEME REUNION AVEC  
DES GROUPES D'INTERET PUBLIC

PARTICIPANTS

ENVIRONMENT CANADA/ENVIRONNEMENT CANADA

Hon. Len Marchand, Minister

J.B. Seaborn, Deputy Minister

J. Gérin, Senior Assistant Deputy Minister

K. Prittie, Information Services

G. Savard, Information Services

ENERGY, MINES AND RESOURCES/  
ENERGIE, MINES ET RESSOURCES

D. Miller, Conservation and  
Renewable Resources Branch

J. Love, Conservation and  
Renewable Resources Branch

CANADIAN ENVIRONMENTAL ADVISORY  
COUNCIL/CONSEIL CONSULTATIF CANADIEN  
DE L'ENVIRONNEMENT

I. McTaggart Cowan, Chairman

P. Garigue, Vice-Président

T. Beck

R. Bergeron R.H. Hall

D.A. Chant M.J. Loveys

J. Chollet D. McRorie

CEAC Secretariat du CCCE

E.F. Roots V. Halliwell

J.K. Fraser S. Marengère

NEWFOUNDLAND/TERRE-NEUVE

Geoff Stiles  
Alternative Development Group

Diane Savory  
Newfoundland Natural History Society

William Thurlow  
Gander Environment Group

PRINCE EDWARD ISLAND/  
ILE-DU-PRINCE-EDOUARD

Kathy Martin  
Natural History Society of PEI

NOVA SCOTIA/NOUVELLE-ECOSSE

Susan Holtz  
Ecology Action Centre

Elizabeth May  
Cape Breton Landowners Against the Spray

George Zagoudis  
Community Planning Association of  
Canada (Nova Scotia Division)

NEW BRUNSWICK/NOUVEAU-BRUNSWICK

Noel Ireland  
Conservation Council of New Brunswick

Dana Silk  
Community Planning Association of  
Canada (New Brunswick Division)

John Sheehan  
Maritime Energy Coalition



QUEBEC

Daniel Green  
Société pour vaincre la pollution

Charles Mallory  
STOP

Dorothy Rosenberg  
Canadian Coalition for Nuclear  
Responsibility

Daniel Waltz  
Conseil québécois de l'environnement

Robert Silverman  
Le monde à bicyclette

ONTARIO

François Bregha  
Canadian Wildlife Federation

Rick Pratt  
Canadian Nature Federation

Don Gamble  
Canadian Arctic Resources Committee

Fern Payne  
Pollution Probe (Ottawa)

David Brooks  
Friends of the Earth

John Swaigen  
Canadian Environmental Law Association

Bea Olivastri  
National Survival Institute

Jack McGinnis  
Is Five Foundation

Bill Glenn  
Pollution Probe (Toronto)

Chris Conway  
Energy Probe

Arthur Tims  
Conservation Council of Ontario

Carol Bailey  
National & Provincial Parks Association

MANITOBA

Tom Schillington  
Sierra Club (Winnipeg)

SASKATCHEWAN

Herman Boerma  
Saskatoon Environmental Society

Jim Harding  
Regina Non-nuclear Society

ALBERTA

Jean Poulin  
STOP

Elmer Cure  
Fish and Game Association

Linda Duncan  
Environmental Law Association

Doug Harvey  
Sierra Club (Calgary)

BRITISH COLUMBIA/COLOMBIE-BRITANNIQUE

Cliff Stainsby  
SPEC

Rod Marining  
Greenpeace

Bill Otway  
BC Wildlife Association

Bob Nixon  
Sierra Club (Victoria)

Dr. Stace-Smith  
Federation of BC Naturalists

Tony Pearse  
Telkwa Foundation

YUKON TERRITORY/TERRITOIRE DU YUKON

Ted Parnell  
Yukon Conservation Society

Sandy Hobus  
Yukon Conservation Society

SUMMARY OF RECOMMENDATIONS  
BY PUBLIC INTEREST GROUPS  
NOVEMBER 6-7, 1978

WILDLIFE PROTECTION

Currently a number of government and private agencies are actively involved in protecting wildlife and wildlife habitat. At the national level, the primary agencies are contained in the Department of Fisheries and the Environment \* (Canadian Wildlife Service) and the Department of Indian and Northern Affairs (Parks Canada). All provincial and territorial governments contain departments or branches for fish and wildlife conservation. Many non-governmental citizen organizations, private organizations and individuals are also involved in wildlife protection at the national, regional and local level.

Many of these organizations, particularly the governmental agencies, operate parks and related reserves for wildlife protection and enjoyment by visitors of the natural resource. Further, for adequate protection of wildlife and wildlife habitat(s), cooperation among these various organizations is vital. For example, protection of a large ecosystem may require the establishment of adjoining national park(s) and wildlife area(s).

Obviously, funding for wildlife protection, including habitat acquisition, must remain a high priority of Environment Canada if land is to be preserved for wildlife.

The funding cut for the National Wildlife Areas program is therefore particularly regrettable. *We recommend that Environment Canada take the lead in coordinating a nation-wide, integrated system of parks and reserves for wildlife preservation.*

To ensure that the various groups continue a high level of cooperation, *we finally recommend that Environment Canada continue to actively encourage liaison among governmental and non-governmental organizations as well as intergovernmental and internon-governmental cooperation through appropriate means such as adequate access to information and resource persons as well as the proper funding of independent research work.*

ENERGY

- The battle for environmental quality will inevitably be lost if the approach continues to be an amelioration of each project's problems in the absence of an overview of alternative policy directions. Such an overview would help to evaluate the necessity for any given project and determine whether there are alternatives that are economically, environmentally and socially preferable.

- There is thus the need to develop and implement an energy policy which, to the greatest possible extent, involves low environmental impact as well as embodying other social goals such as those involving increasing employment opportunities.

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\* The Department of Fisheries and Environment was separated in 1979 into the Department of Fisheries & Oceans and the Department of Environment. Parks Canada was moved to the Department of Environment in 1979.

- The ENGOs support what has come to be called a "soft" energy path as the appropriate policy direction. Such a policy option involves the following characteristics:

- . It emphasizes greatly moderating demand through increased efficiency, with much more attention paid to demand options than has been characteristic of energy policy to date (which has concentrated almost exclusively on supply);
- . It would mean a transition, over the longer term, to energy supply systems which are renewable, decentralized, and environmentally benign;
- . In terms of increasing of efficiency, it would match in quality and scale the energy source to the end use, as well as emphasizing greater first law efficiencies as mentioned above.

- Full cost pricing of all energy sources is the preferable policy alternatives with symmetry of whatever subsidies are embodied. In many cases this will require a shift in the pricing structure to marginal cost pricing.

Recommendations for DOE (these are some specific examples and are not intended to be exhaustive);

#### *Decentralization*

Transportation, agriculture and materials policy which encourage regional self-reliance and reduce transportation requirements

#### *Conservation*

Recycling policy - increased recycling could reduce high temperature heat requirements, housing and auto efficiency standards

#### *Renewable sources*

Necessary business research and development

#### *Research & Development*

Environmental research in cleaner and more efficient combustion, e.g., fluidized bed. Urban waste

- The presentation also re-emphasized the significant environmental problems with nuclear energy, in particular mine tailings.

### NORTHERN PIPELINE AGENCY

Through political channels open to him, the Minister is urged to

1. pass on to his colleagues in the House of Commons our extreme dissatisfaction with the structure and function of the Northern Pipeline Agency;



2. push for changes in terms of reference of the Northern Pipeline Agency to allow the agency, not to facilitate the company, but to manage impacts, facilitate public involvement, monitor social, economic and environmental impacts (not just environmental and technical details);
3. pass on to his colleagues that unless the terms of reference for the agency are changed to facilitate public involvement, the public groups in the Yukon after lengthy and costly involvement in environmental hearings will participate no further.

## AERIAL INSECTICIDE FOREST SPRAYING

### *Recommendations*

- 1) that no aerial spraying be conducted where human populations will be exposed by direct spray or drift, or where food or water supplies will be contaminated. In short, *we demand that existing federal laws be enforced.*
- 2) that registration and control of pesticides be removed from the Department of Agriculture and become the responsibility of the Department of Health.
- 3) that registration of pesticides should rest on the premise that all chemicals with a "public" exposure should be considered potentially dangerous until *proven* safe. To facilitate this, the testing capabilities of the federal government must be expanded to allow additional testing. Forest spray insecticides should *at least* meet the same requirements as agricultural pesticides. All chemical pesticides, other than pheromones or disease bacteria from natural sources, should pass strict studies on chronic toxicity, especially carcinogenicity, teratogenicity, fetotoxicity, mutagenicity, neurotoxicity, especially delayed neurotoxicity. Natural bacteria and pheromones will need their own types of tests.
- 4) that chemicals with "public" exposure, whether an aerial spray, agricultural application or an emitted pollutant, should be subject to complete freedom of information, or registration should be refused.
- 5) that the Federal Department of Environment adopt a policy of assisting in a transition from reliance on aerial insecticides applications to one of biological and silvicultural treatments.
- 6) that the Department of Environment remove itself from the advocacy of spray programs. This recommendation applies specifically to personnel at the Maritime Forest Research Centre in Fredericton, New Brunswick, who continue to promote spraying through the media in Atlantic Canada.
- 7) that the Minister's concern for the implementation of significant forest management in Canada receive priority within the Department, and that funding for stand treatment, replanting of diverse species, diversification of forest products, to include methanol, power generation, etc., be designed to encourage the "budworm-proof" forest.

## FREEDOM OF INFORMATION

- 1) Most important information should be put in indices form and published in the *Canada Gazette*.
- 2) Information requested should be provided within specified time.
- 3) If information refused (with exception of some for reasons such as national security, personal privacy and trade secrets, etc.), party to be taken to court, costs to be awarded by violating party, and disciplinary action be taken.
- 4) All information should be made available unless specified otherwise.

## ENVIRONMENTAL ASSESSMENT AND REVIEW PROCESS (EARP)

- 1) EARP should play a more important part in the decision-making process. At present, FEARO has no legislated mandate or legal status, and should be given a legalistic mandate.
- 2) Public should be involved in the project from the beginning, and procedures of the process should be made public. Funding of intervenors should be possible.
- 3) CEAC should attend some EARP hearings.

## ROLE OF ENVIRONMENTAL ADVISORY COUNCILS

*(Pertains to councils which advise Ministers or Deputy Ministers)*

## DESIGN

- a) broadly representative, diversity of interests, participation from a variety of perspectives
- b) expenses must be paid, plus per diem honorarium. Cannot opt out of payment because affiliated company is paying their way
- c) two year terms plus once renewal
- d) alternating venue across the country
- e) secretariat and budget available

## OPERATIONS

- a) should establish and maintain contact with public interest groups of various kinds as a standard procedure
- b) must never be seen to be the *only* route to the Minister or Department
  - should not pre-empt accessibility
- c) should not be burdened with paper
- d) Minister and/or Deputy Minister must be prepared to listen and respond, not necessarily agree, but must not ignore
- e) meetings should not be secret nor should members be required to take oath of secrecy
- f) members retain right to comment as individuals
- g) Council must have the option to report to the public
- h) Minister must not abdicate responsibility by placing decision on Council's shoulders, or excusing action because of Council advice

## FUNCTIONS

- a) to provide policy advice on directions, and response to initiatives from the Minister, on both process and subject matter
- b) to support full participation of public in policy-making by means of meetings with ENGOs, hearings, publications, education, etc.
- c) periodic self-evaluation on a regular basis. If found ineffective, should self-destruct.

## SUMMARY

- 1) Environmental groups have shown that they are professional, knowledgeable and capable.
- 2) Groups provide good value for the money.
- 3) Groups are very diverse, with different organization, interests, ways of operating, but all come together on environmental protection, all share same impatience at slow progress, and all share the same frustration at downgrading of environmental priorities.
- 4) Theme that has emerged is that environmental policy is pervasive. It is more than the sum of forest, wildlife, air, etc. Policies must address population, industrial, transportation, etc., policies too. DOE must



introduce the environmental element at every stage of the decision-making process.

- 5) As general recommendations, pricing and tax policies must be changed to include environmental externalities. Alternative energy sources (e.g. nuclear and solar) must be allowed to compete as equals.

FOURTH MEETING OF THE ENVIRONMENTAL INTEREST GROUPS WITH THE  
CANADIAN ENVIRONMENTAL ADVISORY COUNCIL  
MAY 26-27, 1980

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PROGRAM AND AGENDA

The representatives of the environmental interest groups will meet at 09:00 on Sunday, May 25 in the St. Laurent Room, 11th Floor, Place Vincent Massey, 351 St. Joseph Blvd., Hull, to discuss the agenda, in particular the strategy papers and the presentation of the environmental issues.

|                   |   |  |
|-------------------|---|--|
| MONDAY<br>MAY 26  | Welcome and comments on the role of the<br>Department of Environment          | Dr. D.A. Chant,<br><i>Chairman, CEAC</i> |
|                   | Procedure for the workshops   | Ms. B. Olivastri                         |
|                   | Strategy workshops  |  |
|                   | 1. Environmental Assessment & Review Procedures<br>2. Freedom of Information  |  |
|                   | Strategy workshops  |  |
|                   | 3. Public Participation<br>4. Northern Jurisdictions                          |  |
|                   | Meeting of chairpersons and rapporteurs                                       |  |
|                   | <i>Informal gathering: Inn of the Provinces, 361 Queen Street,<br/>Ottawa</i> |  |
|                   | <i>Mr. Simmons (Parliamentary Assistant to the Minister) will<br/>attend.</i> |  |
| TUESDAY<br>MAY 27 | Introduction  | D.A. Chant,<br><i>Chairman, CEAC</i>     |
|                   | Remarks by the Honorable John Roberts   |  |
|                   | Presentation of environmental issues and<br>discussion with the Minister      |  |
|                   | Discussion  |  |
|                   | Planning for 1980-81  |  |
|                   | Adjournment   |  |

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PRESENTATIONS TO THE MINISTER OF ENVIRONMENT

May 1980

16 September 1980

The Hon. John Roberts  
Minister of Environment  
14th Floor, Fontaine Building  
Ottawa, Ontario  
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Dear Mr. Roberts:

On behalf of the environmental groups attending the national meeting on 26 and 27 May, the National Steering Committee is pleased to present to you the final report of that meeting, consisting of the papers that were presented to you orally, which have been edited and translated.

The report contains eleven position papers on environmental issues and four strategy papers on policy matters. The papers on environmental issues outline major concerns of the environmental groups and recommendations on how to deal with these concerns. The four strategy papers address four policy issues which identify specific actions your department should act upon in the immediate future.

Of major importance to the participating groups was the concern over EARP. As stated in the paper, major revisions are needed if the process is to become effective. If improvements are not forthcoming, environmental groups may discontinue their involvement, and initiate a national campaign to expose its deficiencies and inadequacies.

While we await your comments on these papers, the Steering Committee would appreciate receiving the names of the departmental officials who will be responsible for responding to the requests and recommendations that we have submitted to you. This will assist us in conducting the necessary follow-up.

Please send your reactions and the list of officials to all the members of the National Steering Committee. A list is attached for your convenience.

Yours sincerely,

Charles D. Mallory  
on behalf of the National Steering  
Committee of the Canadian Environ-  
mental Non-Government Organizations.

Canadian Environmental Non-Governmental Organizations

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PRESENTATIONS OF THE CANADIAN ENVIRONMENTAL NON-GOVERNMENTAL ORGANIZATIONS TO  
THE MINISTER OF THE ENVIRONMENT

May 27, 1980

STRATEGY ISSUES:

1. Public Participation - George Matheson
2. Freedom of Information - Kim Roberts
3. Northern Issues - Nancy MacPherson
4. Environmental Assessment and Review Process - Beatrice Olivastri

ENVIRONMENTAL ISSUES:

1. Reflections and Recommendations on Pesticide Management in Canada - Daniel Green
2. Hazardous Substances - Bill Glenn
3. Forestry Management - Brian Harvey
4. Wildlife - Jim Bonfonti
5. Nuclear Wastes - Gordon Edwards
6. Financing of Canadian Environmental Groups - Pierre Lacombe
7. Water Quality - Charles Mallory
8. Energy and the Environment - Susan Holtz
9. Control of Pollutants Causing Acid Rain and Snow - Rick Pratt
10. The Urban Bicyclist and the Environment - Bob Silverman
11. International Affairs - Dana Silk



## PUBLIC PARTICIPATION IN THE WORK OF ENVIRONMENT CANADA

### PREMISE

Democracy is defined as "government by the people". The opportunity to vote every four years is, most emphatically, not "government by the people". If we cherish democracy as we claim to, then we must not only believe in public participation, but must also struggle to maximize it.

From this perspective, public participation is not a privilege -- it is, in any democratic society, the right of any individual or group. It is thus incumbent on our elected representatives and on our government bureaucracies to facilitate and encourage the democratic process of public participation in decision-making.

### BENEFITS

The benefits of effective public participation in the work of the Department of the Environment are many, including:

1. The quality and effectiveness of policies and programs will frequently be enhanced through the introduction of alternative ideas and concepts.
2. The credibility of policies and decisions and their consequent public acceptance will be increased if public input has been sought and respected right from the start.
3. Conversely, the potential for confrontation that arises through "closed door" decision making is reduced.
4. The substantial skills, knowledge, commitment, and interest of environmental organizations and concerned citizens can be utilized to further the Department's goals and objectives -- environmental NGOs and DOE are potentially strong allies.

It must not be forgotten that the main impetus for the formation of the Department of the Environment and for much environmental legislation came from environmental organizations. Were it not for public response to ever-increasing environmental degradation, the proportions of the Canadian environmental crisis would by now be staggering.

### PRINCIPLES

A number of principles must be adhered to if public participation is to be a reality within the Department of the Environment.

1. Public participation is an essential and ongoing process, not merely a set program developed as an afterthought.
2. Public participation should be sought not only for decisions on specific projects and programs but also for the development of policy.
3. Public participation means much more than information sharing -- it means influence sharing.
4. This influence sharing must begin at the outset of the decision making

process and continue throughout.

5. Participation should allow an examination of all possible alternatives, and not simply a comparison of all proposed alternatives.
6. Support for public participation should include financial support without which the principle of public participation is mere lipservice.
7. The kind of information needed to ensure effective participation must be readily available -- freedom of information is required.
8. Access to participation programs must not be limited to certain segments of the public. In general, there should be a universal right to participate; indeed, all effective groups should be encouraged to participate. (It is important to note that there has been little evidence in Canada of abusive participation).
9. There must be steady feedback in any participation process to enable the "participants" to understand how their views were interpreted and weighed in the ongoing decision-making process. Freedom of information implies that the detailed rationale for particular decisions be made public.

In considering the above principles, it must be recognized that public participation is essentially a human process, not simply a bureaucratic procedure. Thus, an essential component of any participation process is the personal relationships which will evolve between the "participating public" and the relevant decision makers. It is, more often than not, the quality of these relationships that determine the effectiveness of the participation process; in particular, a lack of cooperation or a reluctance to be involved on the part of the decision makers will more often than not lead to a frustrating and ineffective participation process.

To summarize the above principles, credible public participation will not be simply a showpiece -- it will have a substantial and substantive impact on the decision making process.

#### ELEMENTS OF A PUBLIC PARTICIPATION POLICY FOR DOE

For eight or more months, there have been internal discussions within the Department of Environment concerning a public participation policy. To our dismay, and in violation of a number of the "principles" cited above, this policy is being developed essentially without public participation. We certainly welcome the initiative, and we respect the Department's desire to enter public consultations with an internally acceptable collection of ideas. Nevertheless, the process of developing DOE's internal public participation policy has been wholly unacceptable, and does not bode well for the policy likely to result.

The following paragraphs introduce a range of elements that we believe should constitute a public participation process for the Department of the Environment. These elements are not an official response to the above mentioned DOE initiatives, since that initiatives has not yet been officially released to the NGO's.

The following comments refer, in particular, to public participation as it relates to environmental groups. We have not attempted to address public

participation for the concerned individual citizen (though improved opportunities for participation for ENGO's obviously creates improved opportunities for participation by the individual). For convenience, this discussion is divided into public participation as it relates to politicians and as it relates to bureaucrats.

1. Opening the Door -- Politicians: The Minister of the Environment, his/her parliamentary secretary, and their staff should be readily accessible to the environmental NGO's. This implies that these individuals will be available for meetings (subject to reasonable constraints) at the request of the ENGO's. It also implies that the above mentioned individuals will initiate meetings with ENGO's for consultation on specific issues where particular ENGO's have particular competence or expertise.

The Minister should convene, on a yearly basis, meetings with a large number of ENGO's for the purpose of receiving their input and comments on wide range of environmental issues. Such meetings should be seen as distinct from the above mentioned meetings which would involve one or a few organizations focussing on one or a few issues.

The Canadian Environmental Advisory Council should not be seen as the official intermediary between the ENGO's and the Minister's office. However, CEAC should include among its responsibilities the task of bringing ENGO concerns to the attention of the Minister. The objective should be to facilitate (not replace) direct contact between the ENGO's, and the Minister's office.

Within the Minister's office, is recommended that a top level policy advisor be appointed whose job it would be to integrate public input into the heart of the political decision making process.

The Minister should seek to upgrade the nature of the proceedings of various Parliamentary Committees in order to supply increased involvement opportunities for the public. The Minister should encourage investigation of the possibility of "roving Parliamentary Committees."

2. Opening the Door -- the Bureaucracy: There is need for public participation at four "levels" within the Department of the Environment: policy, program, project, and regulation. As the EARP process is the subject of another paper in this series, project-related public participation is not discussed here. Note that the call for "generic" EARP assessments could lead to significant public participation relating to policy and program matters. However, the EARP process does not by itself represent a complete public participation process, since the impact of any proposal is being evaluated after the major decisions have been taken by the proponent. Since DOE is rarely a proponent, this issue will not be discussed here. (See subheading 2.3, below).

Public participation implies four types of response from the bureaucracy:

2.1 Freedom of Information: The public should have access to information collected or developed by the Department of the Environment. Such information would include all routinely collected data on ambient environmental quality, data on emissions and effluents, reports and studies prepared for or by the Department, and of course all routinely published documents.



It is insufficient to "make information available" if there is no means for the public to know what is available, i.e. what to ask for. Accordingly, a catalogue of available documents and information should be routinely prepared and distributed by the Department. The contents should be cumulative, with new entries highlighted. In addition, documents and publication notices of known interest to particular NGO's should, to the maximum extent possible, be spontaneously supplied to those organizations.

**2.2 Policies and Programmes:** Public participation in decision making on policy and programme matters can be both formal and informal. Informal participation evolves from personal contact; as such, formal participation procedures will foster informal procedures. The following comments are therefore focussed on formal participation channels.

It must be stressed that the hiring of a "participation consultant" is generally inappropriate. By acting in place of the Department or one of its services, the consultant becomes an intermediary serving to limit rather than maximize contact between the public and the bureaucracy. The public makes little direct impact, the values of the bureaucracy are seldom changed, and (most importantly) the opportunity to establish permanent channels of communication with the bureaucracy is lost.

In view of the above, routine meetings between ENGO's and Department officials, both nationally and regionally, should be held to provide the NGO's the opportunity to fully understand evolving Departmental initiatives and to effectively and substantially participate in their evolution.\* Such meetings would supply access for ENGO's and accountability for public servants. It must be stressed that the bureaucratic participants must include senior levels of management. Even more importantly, these meetings must provide, as mentioned above, an impetus to informal consultations at other times of the year; the tendency to "use" the meetings as a funnel to channel all ENGO participation into one process is wholly unacceptable.

As a consequence of the above mentioned routine meetings, it is anticipated that the ENGO's may choose to strike one or more committees or task forces to maintain liaison with departmental officials on some particular issue that emerges from the established formal consultations. Departmental officials should cooperate to the maximum extent possible with these ENGO committees or task forces during the period between formal meetings.

The role of the full-time Citizens Groups Liaison Officer is a valuable and valid one. The resources available to that officer should be strengthened. In addition, when appropriate, the different Services/Branches of the Department should designate their own Citizens Group Liaison Officers (not a new position, but additional responsibility for existing programme personnel). The intent is not to confirm NGO involvement to liaison with such officers, but rather to facilitate "across the board" NGO action.

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\*These periodic meetings are not dissimilar to those proposed in the DOE draft policy for public consultation. However, pending the opportunity for ENGO's to comment in detail on that draft policy, these comments should be interpreted as support for a concept, and not for a particular proposal.



2.3 Regulation: All stages of the regulation-making procedures should be accessible to public involvement. The character of current limitations to such involvement can be illustrated by the Environmental Contaminants Act. To begin with, the public has no opportunity to cause a particular substance to be considered under the act for possible regulation. Should a review of possible regulation be launched, but lead to a decision not to regulate, the public has no opportunity to appeal. It is only if a regulation under the Act is proposed that "interested" parties may object, leading to a Board of Review.

Effective public participation in the regulation process requires a number of elements including: an opportunity to influence what substances or activities are to be investigated for the purpose of possible regulation; the opportunity to participate in the identification of the rationale for regulation and alternative regulatory options; and the opportunity to appeal the selection of a particular option (even if that option is not regulation).

The Canada Gazette is, of course, the primary tool for communication of the different stages in the regulation making process. In addition, however, effective public participation demands that every effort be made to publicize more widely regulation initiatives. The nature of such efforts will vary from case to case, but could include selected Departmental mailings, announcements in conventional and specialist media, discussions in the routine ENGO/Department meetings discussed above, etc.. The essential point is that affected and interested publics are not necessarily avid readers of the Canada Gazette.

2.4 Grievance Procedures: Even the best public participation policy can be scuttled by an unwilling bureaucracy. Accordingly, ENGO's must have recourse to a formal grievance procedure to ensure that their right to participate is fully respected. A variety of possible grievance procedures exist; the selected procedure must be rigorously fair and accessible.

3. Opening the Door -- Other Departments: Frequently policies, programmes, projects, and regulations of other departments have significant environmental impact. The Department of the Environment should endeavour, where possible, to encourage and facilitate the role of ENGO's vis-à-vis environmental issues that arise in other sectors of government. An obvious channel for such a role is the EARP process; as mentioned above, this is in no way a complete response. In particular, EARP does not currently affect policies and programmes, and what impact it does have on projects occurs late in the decision making process. Improvements in the EARP process remain essential.

A range of further actions are possible. For instance, the Department of the Environment is routinely involved (at least in a peripheral sense), in government initiatives that are outside its jurisdiction but nevertheless have significant environmental impact. Routine information flow to ENGO's on the Department's "extra-Departmental" responsibilities is a necessary first step that offers ENGO's the opportunity to assist (at least informally) in the representation of environmental concerns on the issues in question.

4. Beyond Opening the Door: Most of the above comments have focussed on "opening the door" -- supplying the public and specifically ENGO's with the opportunity to participate in environmental decision making. But opening the door is not enough. To maximize the quality of ENGO contributions and to

ensure more than the appearance of public participation, the Department must do what it can to enable effective ENGO and general public participation. To return to the premise on which this paper is built, a true democracy not only requires public participation, but strives to maximize it.

There are a variety of measures that could and should be taken to allow the public to make use of the "open door" proposed above. By far the most important of these enabling measures is the question of funding. As this is the subject of another paper, it will not be discussed in depth here. Suffice to say that appropriate governmental funding programs, and equally importantly, government measures to facilitate independent fundraising, are essential elements behind any public participation program. The vested interests can always afford to be heard, but the public interest normally cannot. Without increased flow of resources to environmental groups, all of the open doors in the world will be of little consequence.

#### CONCLUSION

The Department of the Environment and The ENGO's share broadly common goals. Public participation is, quite simply, a way of ensuring ongoing and vigorous cooperation in pursuit of essential objectives. Society's long term well-being depends, to a very substantial extent, on rational environmental policies; institutions and organizations that perceive this fact cannot afford not to cooperate.

#### IMMEDIATE RECOMMENDATION

1. We request an absolute guarantee that there will be broad public consultation on DOE's public participation policy. This has not been the case in the policy currently being developed by the Department.
2. We request a firm commitment to the principle of DOE providing funding as an essential prerequisite to effective public participation.
3. We request that the Minister immediately inform his departmental officials that they are expected to encourage public participation and ensure ready access to information. This is intended as an interim measure pending conclusion of the above mentioned consultation. The directive should be written, broadly circulated, and publicly available.

Presented by George Matheson,  
Friends of the Earth,  
On behalf of the Canadian Environmental Non-Governmental Organizations

## FREEDOM OF INFORMATION LEGISLATION

### WHY DO WE NEED FREEDOM OF INFORMATION?

At present in Canada we have no legal right to gain access to information gathered with public monies. In addition, governments are under no duty to disclose this information and legislation such as the Official Secrets Act provides the means for civil servants to keep files from public scrutiny. Public officials who might be willing to release government documents are prevented from doing so by the Oath of Secrecy required under public service legislation.

Without access to the files of administrative agencies, the information which would enable us to evaluate the performance of our governments can be arbitrarily withheld. Good government follows open government. Where there is no right to information, a mantle of secrecy can cloak poor judgement and costly mistakes. In the United States, it took the Watergate scandal to cause reform of an earlier, flawed Freedom of Information Act and create a strong and workable piece of legislation.

Government encouragement of public participation in administrative decisions which affect the public -- particularly in environmental and consumer matters -- cannot be considered as sincere until the public has gained access to the information upon which administrative agencies base their decisions.

In summary, a right to obtain government information ensures:

1. accurate assessment of government performance -- that is, accountability
2. informed public participation in administrative decisions which affect them.

### WHAT IS NECESSARY FOR GOOD ACCESSIBILITY TO GOVERNMENT INFORMATION?

Access to government information should be considered a right, not a privilege. That is, anyone should be able to apply for information on any subject, without being obliged to prove that he/she has a special need for it or without having to provide an explanation for the request.

All government records made or acquired in the course of public business should be eligible for release to an applicant for information. This would include Crown corporations and any board, court, tribunal, agency or committee which derive either their authority or financing from the government.

As a general rule, there is no reason for denying access to information relating to environmental matters. Any exceptions to this rule should be narrowly defined and might include minutes of Cabinet deliberation on environmental issues, and trade secrets. However, any studies or information which is provided as background to Cabinet meetings should be released. Any material which contains references to trade material should be made available with such references simply deleted.



## HOW WOULD FREEDOM OF INFORMATION LEGISLATION WORK?

The biggest obstacle to overcome in obtaining information from any governmental body is in determining what documents are in the files of any particular agency. This knowledge would probably assist many people in securing relevant government information, even without specific legislation.

Any Freedom of Information law should therefore require that government branches regularly publish indices to documents in their possession. This would enable individuals attempting to retrieve information to isolate the agency holding the desired documents and make the request. However, requests should not have to be highly specific and should include application for categorical material such as "any information relating to acid rain".

Following an application in writing, a public body should be required to provide the information or refuse the request within a specified period of time -- say, within 10 days. If more time is required, the public body should be required to apply for a time extension to an independent arbitrator.

If the document requested by an applicant is approved for release, the only charge should be the direct costs of copying the document. Applicants should also be able to view a document before deciding whether to acquire it. Search costs should not be levied against an applicant for documents which are difficult to find because they are either not indexed or are not properly indexed.

Where the information is denied, there should be an immediate right of appeal to an independent arbitrator. Throughout any appeal procedure, the burden of proof should be with the body or person refusing the application to show why it should be denied.

In summary, indices of material held on file by government agencies should be regularly published. Legislation should require that all requests for information be dealt with immediately and material reproduced for applicants at the cost of copying. Where information is refused or a delay requested by the agency holding the information, there should be a well-defined appeal process with the onus on the government body to show why the requested material should not be released.

## RECOMMENDATIONS

1. The ENGO's request that the Minister of Environment urge the immediate introduction of Freedom of Information legislation which incorporates the above recommendations. In the event that all of these recommendations are not included in legislation which is adopted, we ask that those which are omitted become part of Environment Canada's policy on release of information.
2. We recommend that legislation which is administered by Environment Canada be amended to include provisions for public disclosure of information which is gathered in administering that legislation.
3. We recommend that Environment Canada immediately institute policy which would direct the release of information held by various branches of the Ministry. This would include the following information which has been difficult or impossible to obtain in the past:



Raw data (this could be made available in an open file);  
Pre-planning studies;  
Feasibility studies;  
Minutes of advisory committees;  
Consultants reports;  
Task force reports;  
Draft reports and alternative studies used for decision purposes.

4. We recommend that Environment Canada ensure that information which is voluntarily supplied from sources outside government -- for example, from industry -- continues to be supplied after introduction of freedom of information legislation by requiring that such information be supplied under existing environmental legislation.

Presented by Kim Roberts,  
West Coast Environmental Law Association  
On behalf of the Canadian Environmental Non-Governmental Organizations

## NORTHERN ISSUES

Pressures on the Northern environment and on northern peoples from major resource developments are escalating at rates which show little regard for the priceless environment, unique ways of life and unresolved Native land claims. At the same time, there is no commitment to the protection of special lands and habitat in the North. It is of crucial importance that the Department of the Environment play a major advocacy role in the North. It is clear to northerners that the Department of Indian Affairs and Northern Development -- with its unlimited jurisdiction -- is doing far more to promote environmental degradation than environmental protection. We are fully aware of the current lack of jurisdiction of the D.O.E. in the North, and this must change. And in areas where D.O.E. has played a role, such as the McKinley Bay case, it appears D.O.E. has defaulted under pressure. We urge you to negotiate more Northern jurisdiction, not to default the role you already have; and to assume the public role of advocate for the environment. The following are examples of northern environmental issues which the D.O.E. should become more involved in.

### OIL AND GAS EXPLORATION AND DEVELOPMENT

Perhaps the single most pervasive pressure on the NWT, the Yukon, and in Labrador, is the all-encompassing search for frontier oil and gas. From the costly completion and maintenance of the Dempster Highway to the largest dredging operation ever seen in Canada in the Beaufort Sea, to proposals to drill in the environmentally sensitive areas, the pressure to explore, develop and transport Arctic oil and gas poses enormous threats to the environment, and to ways of life for northern people. For example, it is clear that the objective of the federal Northern Pipeline Agency is, in Mitchell Sharp's own words, "to promote the efficient building of the Alaska Highway Gas Pipeline," not to serve as an environmental regulator. The NPA has even approved survey line cutting while the E.A.R. Panel is still awaiting further environmental studies on route selection from the pipeline company!

The Department of Environment should and must play a stronger role, particularly in ensuring a higher level of environmental regulation and control in oil and gas exploration and development, through impact assessments of each and every step of exploration, development, production, transmission, examination of energy transportation corridors and combined effects of these.

We recommend that the department of Environment should initiate as soon as possible a review of major frontier oil and gas projects in order to rank them from an environmental point of view; specifically, the Department should compare the environmental effects of developing Beaufort Sea oil with those of East Coast offshore oil. This comparison would include transportation facilities (tankers and pipelines). Similarly, the environmental effects of developing Melville Island gas with Sable Island gas should be compared. The purpose of the review would be to collect the environmental information necessary to make wise energy decisions.

### MINING IN ARCTIC AND SUB-ARCTIC REGIONS

Mining is an area of crucial concern in the Territories and on the Labrador/Quebec peninsula. Particular concerns relate to gold mining, uranium mining, and mining for other minerals in ores which contain uranium as well.

With the skyrocketing price of gold, an environmental crisis has developed in the Yukon for what is being called the second gold rush of the century. Current environmental regulation of placer mining is archaic, and provides little protection to the environment. Placer mining amounts to strip mining of thousands of miles of fertile valleys, streams and creeks with no requirements for rehabilitation of the land worked. Your Department has been asked along with the Department of Indian Affairs and Northern Development and the Department of Fisheries and Oceans to prepare revisions to the Yukon Placer Mining Act and the Territorial Lands Act (both a federal law).

The Department of Environment must participate fully and publicly in these revisions to ensure environmental protection in the North, and the introduction of new regulations or legislation for this year's mining season.

Uranium mining is also a critical issue in the north with exploration activities around Baker Lake, NWT, and the present proposal to mine uranium near coastal Labrador. We urge D.O.E. to support a moratorium on further exploration and mining until not only all uranium-related issues are resolved, but native land claims as well.

Uranium and other metal and mineral deposits have been identified in Northern Quebec, and exploration remains active. The region is governed by an environmental assessment and review process, subject to the James Bay and Northern Quebec Agreement. Environment Canada is an active participant in this process, which is carried on largely behind closed doors. We recommend that you regularly disclose the status of the various projects, and encourage the participation of the community at large in evaluating costs and benefits.

#### HYDRO-ELECTRIC DEVELOPMENT

Major hydro projects are currently being investigated in both the NWT and the Yukon, by the Northern Canada Power Commission, a crown agency. Millions of dollars are being spent on engineering feasibility studies and very little on environmental effects, mitigation, alternate sites, alternate power sources. All information pertaining to NCPC's studies and the plans of the agency are secret, and are not available to even other government personnel, as NCPC is responsible only to the Minister of I.A.N.D.. A major Yukon River Basin Study has been proposed, and is crucial in identifying resource values.

We urge you to:

1. Meet with the I.A.N.D. Minister John Munro and establish access to the planning and feasibility studies of NCPC;
2. Implement through D.O.E. an environmental pre-planning and accountability system for all hydro-electric projects north of the 60th parallel; and
3. secure funding for the Yukon River Basin Study.

#### WITHDRAWAL OF LANDS IN THE NORTHERN YUKON, AND THE INTERNATIONAL MIGRATORY CARIBOU TREATY

Currently being drafted by your department under the auspices of the Canadian Wildlife Service is the international treaty between Canada and the United States for the protection of the Porcupine Caribou Herd and its habitat in the northern Yukon and northern Alaska.

The Department of Environment should and must ensure that the treaty protects both the herd and its habitat, that conservationists are equally represented on the proposed Commission, and that the treaty does not pre-empt any Native land claims negotiations with either the Yukon Indian people or the Committee for Original Peoples Entitlement.

The Hon. Hugh Faulkner withdrew 15,000 square miles of wilderness in the northern Yukon from further development pressures in 1978. He said then that "the conservation values of the region exceed the development potential and we must reserve all land north of the Porcupine and Bell rivers." Your Parks branch has been recently asked to assist D.I.A.N.D. in conducting an inventory of the value of non-renewable resources in the proposed northern park area.

We urge you to accept the interim recommendation that the area be protected under the Canada Wildlife Act, as proposed by a government-initiated steering committee on the lands withdrawal area.

We trust you will advocate publically that the wilderness reserve status be maintained, and formalized in this manner, despite protests from industry and the Yukon Territorial Government. We also urge you to support the Arctic International Wildlife Range.

In a broader context, we urge you to establish a comprehensive habitat conservation strategy for the North which knits together the mandates of the Canadian Wildlife Service and Parks Canada, and which encompasses or incorporated International Biological Preserve sites as well as Territorial and other conservation areas.

Presented by Nancy MacPherson  
Yukon Conservation Society

On behalf of the Canadian Environmental Non-Government Organizations



## ENVIRONMENTAL ASSESSMENT AND REVIEW PROCESS (EARP)

In the latter part of 1979 and early 1980, over 50 Environmental Non-Governmental Organizations (ENGO'S) met in a series of four regional meetings to address themselves to ways and means of improving EARP. The following reactions and recommendations are blended from the results of meetings in Halifax, Toronto, Vancouver and Quebec City, as well as in Ottawa.

The concerns were directed at improving environmental impact assessment conceptually, and then, at the process itself. Before dealing with mechanistic concerns, fundamental questions must be asked. For example:

- Has this experiment (EARP) given us environmental protection?
- Is it making development more accountable to the people of this country?
- Does it better enable us to direct development to the satisfaction of human needs?
- Are there alternative modes of doing environmental impact assessments?\*

However, as one ENGO representative put it, "EARP is the only game in town" and, due to political realities, ENGO's must address themselves to the process itself.

### THE KEY CONCERN - SECURITY THROUGH A LEGISLATED MANDATE

A legislated mandate for EARP should not rigidify the process nor legally bind it so that the process cannot evolve. Rather, it should give legislated security by establishing provisions for formal procedures and recourse.

This mandate should be based on a definition of environment that is broad enough to encompass social and economic considerations. It should allow for generic hearings which could cover regional or national issues as well as policy assessments. The mandate should extend to proprietary Crown Corporations and regulatory agencies and in cases of multiple jurisdiction should allow for joint hearings.

Because 99% of projects going through EARP never arrive at a public panel, the legislated mandate, at a minimum, should specify provision for a formal procedure for the screening process including a public register with criteria for screening and contact names and a specified reaction time for challenges.

Under this mandate, FEARO should have the right to deal with issues that are not referred by screening, that is, the right to initiate proceedings.

ENGO'S see the Department of Environment's role as that of an advocate for environmental protection. Therefore, to clarify the roles of FEARO and DOE, we recommend that FEARO report directly to the Cabinet.

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\*December 1979 memo from Paul Armstrong, re: Halifax EARP Information session. ENGO'S concluded that WE NEED AN EARP ON EARP.

## A KEY PRINCIPLE -- PUBLIC INVOLVEMENT

The public should have access to the process from the beginning and not be forced to operate only in a reactive manner. This principle is reflected in the following recommendations.

The question of need and impacts are defined, now, on the basis of expert evaluation only. These are political and therefore public questions. They require value as well as expert input from the public at many stages in EARP beginning with the definition of "significant" impacts during the screening process, continuing through the development of EIS guidelines (alternatives are more than physical site locations and must include a NO GO option), intervention in the hearings, and finally, reaction to the panel's report before the Minister's decision.

Public participation, now, occurs by the grace and favour of the panel. It must be enshrined in the legislation. As part of this enshrinement provision for the following must be made:

- early notification of the public for screening and IEE decisions and public access to screening criteria and meetings (RSCC);
- intervenor funding through or via government but not direct from the proponent (the Berger guidelines could be applied);
- assistance in transportation arrangements when the panel meetings occur in remote locations;
- expert help from government experts and financing to obtain experts to represent intervenors or assist in development of their case;
- recognized guidelines that provide adequate time for intervention (two clear months from receipt of ALL information); and
- notification of an input to panel selection and development of its terms of reference.

## RECOMMENDATIONS

Once a panel is operational, the following areas of concern prompt recommendations:

The EIS must demonstrate the conceivable environmental ramifications and further demonstrate how those impacts can be mitigated. Assessment must be based on the project and not on the intent.

The onus of proof must rest clearly with the proponent. The onus of disproof must not rest on the intervenor.

Clear guidelines must be set forth for the roles and responsibilities of panel advisors and the secretariat.

The hearings should be a process of public education as well as assessment. Therefore, when differences are identified, the panel should pursue them and various measures of mitigation if the project were to proceed. A residual intervenor on staff might be the vehicle for pursuing differences.

Provision should be made for mandatory monitoring with ongoing public accountability of project implementation to ensure compliance with recommendations and directives of EARP.

If a project had been turned down, specific leave from the Minister should be required in order to reapply. Such leave should be granted ONLY when new information or circumstances appear that justify reconvening the public process. The rationale for the new application (information and circumstances) must be publicly exposed.

The details of how to improve the EARP mandate and procedures are well documented and should require no further elaboration by ENGO's. Therefore, the onus is on the Minister and FEARO to respond in a way that demonstrates that changes are being made within three months.

As a specific step, FEARO must publish within 3 months a detailed document describing how the screening process works in all agencies subject to EARP.

The Minister, through Cabinet so that it becomes policy, should declare that DOE will assume a role of public advocate on environmental matters. Such policy must commit the government, through DOE, to:

1. make timely written critical evaluations of projects referred to FEARO;
2. provide expert testimony at all hearings so that rigorous assessment is assured;
3. provide expert advice and assistance to all people interested in a venture before FEARO.

The current Executive Chairman of FEARO is leaving and will be replaced. Therefore, the Minister should seek to have ENGO's and C.E.A.C. members represented on the final selection committee for the new chairman. In addition, the Minister should immediately establish an ENGO advisory committee reporting to the Executive Chairman of FEARO.

Presented by B. Olivastri,  
National Survival Institute,  
on behalf of the Canadian Environmental Non-Governmental Organizations.



REFLECTIONS AND RECOMMENDATIONS ON PESTICIDE MANAGEMENT IN CANADA

We have decided to present for your consideration the current factors influencing the management of pesticides in Canada.

The status quo is typified by the inability of the Federal Government to deal meaningfully with the hazards of pesticide use. Pesticides are a poor substitute for agricultural management, as illustrated by the fact that in the last thirty years insecticide use in the United States has increased twelve-fold, while crop losses to insects have doubled.

The following are a few points which we feel are important to review:

Long Term Effects: A question which is being asked increasingly is "What will be the consequences of long term, repeated applications of low doses of pesticides found in the environment and in food?" At the moment, the scientific community has not addressed the question, and, of course, pesticide manufacturers are also content to leave analysis at the cost/benefit level of the presumed "benefits" of widespread, repeated use of chemicals in forestry and agriculture. The long term effects of pesticide exposure remain largely unexplored as classical toxicology has not been conceived to deal with chronic exposure. It is therefore of the utmost importance to revise pesticide registration of the pesticides which are already licensed and to change the regulations to conform to an "ecotoxicity" perspective. A very good report by C.E.A.C. titled "Ecotoxicity: Opportunities and Responsibilities" provides an excellent review of the failings of classic toxicology in dealing with problems of ecotoxicity. We cannot recommend strongly enough to the Honourable Minister that he read and implement the recommendations of this paper.

Synergistic Effects: While the risks associated with specific pesticides studied individually are relatively well understood, it is still important to consider that we are continually exposed to a host of toxic substances, not separately, but simultaneously. It becomes of greater and greater importance to take into consideration that once released into the environment a pesticide is capable of changing and reacting with the other toxic substances it encounters. These interactions between toxic chemicals are caused by numerous influences in the physical environment (the photo-chemical effect of the sun, for example). Thus the risk which results is a veritable "chemical bomb" compounded by each application of pesticide.

The Chemical Company Lobby: The manufacturers of pesticides are part of the huge petro-chemical industrial complex. Notorious polluters, the petro-chemical industry controls nearly all of the industrial activity of the western world. In this context, it is not surprising to read the following definition in a paper titled "Some Facts on Pesticides", published by the Canadian Agricultural Chemicals Association (C.A.C.A.) in March, 1979, "Human progress, as we define it, is the accomplishment of man in adapting the environment to his needs, and not the reverse." This definition demonstrates the non-ecological thinking, if not the anachronistic thinking, of those who manufacture, sell, and defend the use of pesticides in Canada.



## RECOMMENDATIONS

1. Ecotoxicity: We recommend the implementation of the conclusions of the C.E.A.C. paper, "Ecotoxicity : Opportunities and Responsibilities."
2. Pesticide Management and Citizen Participation: As is the case in many provinces, we recommend that the Federal Government create a mechanism to permit citizen participation in the registration and review of pesticides. A "Federal Commission of Pesticides" could be held annually, consisting of public hearings where different groups could be invited to publicly defend their position on individual pesticides and/or regulations.
3. The Herbicide 2,4,5-T: Based on the information from the United States on the toxic effects of 2,4,5-T (contaminated by dioxin) and the restriction of this herbicide by the Environmental Protection Agency, we demand that the use of 2,4,5-T be banned throughout Canada.
4. Matacil (aminocarb): As the insecticide Matacil is not licensed for use in the United States, we demand that its use in Canada be suspended pending the verdict on its toxicity from the U.S. E.P.A..
5. Pest Control Products Act: We strongly recommend that the Act be revised to include the phrase "this act binds the Crown". Forest Protection Ltd. of New Brunswick has been ruled by the courts to be essentially above the law in its violations of the Pest Control Products Act. Paradoxically, the federal Fisheries Act binds the Crown. In effect the current situation provides protection for fish, but not for people.

Presented by Daniel Green,  
La Société pour vaincre la pollution,  
on behalf of the Canadian Environmental Non-Governmental Organizations.

## HAZARDOUS SUBSTANCES

The proliferation of hazardous materials is a vast and pervasive problem requiring an innovative and comprehensive control strategy. In the past we were indifferent to the finite ability of our ecosystems to absorb and render harmless hazardous materials. The air and water pollution control legislation of the past decade did much to address this problem but spawned in turn a huge quantity of waste materials needing alternative disposal. Cheap land filling operations filled this need but with the grave environmental repercussions we are only beginning to understand. The environmentally benign disposal alternatives are inadequate to handle the variety and quantity of hazardous materials being generated by Canadians and their industry.

Therefore the ENGOS recognize that the primary answer to the hazardous substances dilemma is a substantial reduction in the volume of wastes produced and a similar reduction in the number of substances approved for use and subsequent release into the environment.

An open public registration process is needed to review and limit the approximately 1000 new chemical compounds entering production each year and retroactively review the upto 300,000 chemicals already in use. It is insufficient to institute a cradle to grave approach in monitoring and controlling toxics. Some extensive birth control must be practised.

Therefore the ENGOS endorse the recommendations of the CEAC report on "Ecotoxicity" authored by Dr. Chant and Dr. Hall and released in 1979.

The transportation of toxic materials is an area of particular concern for ENGOS. The Federal Transport of Dangerous Goods Bill is felt to be totally inadequate in that it avoids environmental protection. We therefore recommend additional legislation be introduced and modeled on the Ontario amendments to its Environmental Protection Act, the so-called "Spills Bill". In particular Federal legislation should require reclamation and restoration of the natural environment in the event of a mishap, require compensation for victims and place absolute financial liability and responsibility on the producers, transporters and owners of toxic or hazardous material.

Finally although we strongly believe the weighty problem of disposing of toxic waste could best be met by industrial and lifestyle process changes which emphasize reclamation, recycling and reuse of these unrecognized resources, there will still remain a smaller but difficult to handle volume of waste material.

Therefore the ENGOS recommend that DOE facilitate and mediate the concept of regional disposal facilities. This would be particularly useful for those specialized facilities needed to handle small volumes of exotic materials (chlorinated hydrocarbons for example) or for developing technologies (rotary kilns or small high temperature incineration units).

If federal crown lands are made available to expedite or aid in the siting of disposal facilities, those facilities must undergo an EARP in the absence of provincial environmental assessment legislation.

Minimum release levels must be set under the Environmental Contaminants Act to ensure one province does not become the waste disposal pollution haven of its neighbours.

Presented by Bill Glenn,  
Pollution Probe Foundation, Ontario,  
on behalf of Canadian Environmental Non-Governmental Organizations.

## FOREST MANAGEMENT

Although management of our forest resources clearly lies within the jurisdiction of the provinces, Environment Canada plays a number of influential roles in the formulation of national policy, research and development, pesticide regulation, environmental protection and funding.

The forest resource is and must be perceived as more than a crop to be harvested. Fish and wildlife, watershed management, recreation and other non-consumptive aspects of the resource must be recognized and their integrity ensured. The present demands on and the potential of the forest as a source of energy (in its many forms) should be evaluated to determine both the economic and environmental implications.

In terms of potential and problems, Canada's forest resource and industry can scarcely be exceeded. Softwood timber deficits have been identified for every region of the country and the backlog of cutover, burned and insect damaged forest that needs to be put back into a productive state is increasing. It is imperative that an intensive management program be implemented which emphasizes reliance on our labour resource rather than increased inputs of energy and chemical pesticides to put land back into production and increase the productivity of existing forests. A concerted program of reforestation and stand improvement will require a considerable increase in funding from both the public and private sectors but the long-term socio-economic benefits and the existing contribution of forestry to the GNP justify significantly increased expenditures. ENGOS consider a "zero growth" forest industrial strategy a necessity until a comprehensive (including growth data) inventory can justify expansion of capacity.

The pulp and paper industry is one of the most environmentally offensive and energy intensive manufacturing sectors in Canada. It has been demonstrated, however, that new technologies can greatly reduce mill effluent and energy consumption while increasing the efficiency of the process. However, if modernization necessitates expansion of capacity, then caution should be exercised in areas where softwood supply problems already exist.

Decisions to convert pulp mills to hardwood should also be deferred until future requirements for higher end uses are determined. The trend towards increasing annual allowable cuts for fibre is regarded as economically and ecologically inflexible because it locks reforestation programs into undesirable monocultures. If allowed to dominate other forest industries, the fibre industry could potentially create a forest suitable only for pulpwood.

Clearcutting is acknowledged to be a sound management practice under certain conditions, but the broadscale use of this technique should be more stringently controlled by the Environmental Protection Service. The trend towards mechanization should also be closely scrutinized to determine the social costs of displacing manpower, the long-term economic costs, the total energy costs and the environmental costs. It should be recognized that as mechanization increases, the justification of employment benefits for industrial growth correspondingly decreases.



The broadscale aerial application of chemical pesticides is seen as an unreasonably dangerous and inadequate solution to forest insect outbreaks. The process of pesticide regulation and licensing should be reviewed and information on pesticide testing by manufacturers should be made public. Although spray programs should also be monitored by proponents, rigorous environmental assessment should be conducted by an independent agency such as the Department of Environment. The development of alternative control methods and better application techniques should be of highest priority.

Although our forest resources are much more than a source of wood, the forest industry is the source of most of our problems and thus many of the solutions. In its role of providing information and advice to policy makers and the public, the Canadian Forestry Service has often overlooked that fact and has been noted to be somewhat partial to the interests of the forest industry, especially when considering health and environmental risks. If CFS is unable to incorporate better social, environmental and health advocates in its own ranks, then other services of Environment Canada should be given more responsibility to do so.

Presented by Brian Harvey,  
Conservation Council of New Brunswick,  
on behalf of Canadian Environmental Non-Governmental Organizations

## WILDLIFE

The key to wildlife conservation is the continued existence of diverse non-degraded ecosystems. The World Conservation Strategy recently prepared by the International Union for Conservation of Nature and Natural Resources (IUCN) calls upon all nations to maintain the integrity of ecosystems and to preserve genetic diversity for the wellbeing of mankind. The specific recommendations which follow, therefore, emphasize the protection of wildlife habitat.

The Federal government has an obligation to set an example to the Provincial and Territorial governments in the conservation of Canada's living resources by taking forthright conservation measures for those under its jurisdiction and to encourage, assist and cooperate with those governments in taking similar measures within their jurisdictions. Environment Canada must take the lead in areas under its jurisdiction and must act as a watchdog over other Federal Government departments whose jurisdiction influences wildlife habitat.

### SPECIFIC RECOMMENDATIONS

1. Environment Canada should initiate a meaningful land acquisition program to identify and protect valuable wildlife habitat.
2. Environment Canada should have a vigorous wildlife inventory program. Usually fish and wildlife harvesting quotas are set without adequate inventory data.
3. Oil drilling in arctic waters and eastern subarctic waters should not be permitted until technology for dealing with blowouts in such climates is developed.
4. Lancaster Sound has been recognized as an area of high wildlife value and should be made a permanent sanctuary with no drilling or tanker traffic permitted.
5. Formal permanent protection should be granted to the proposed International Biological Sites in the Canadian high arctic, particularly Polar Bear Pass area on Bathurst Island.
6. Permanent protected status should be granted to the lands to the north of the Bell and Porcupine Rivers in the Yukon to protect the calving and post-calving grounds of the Porcupine Cariboo herd. The Dempster Highway should be closed during periods of cariboo migration.
7. Environment Canada should enter into negotiations with the Federal and Provincial Agriculture departments to press for changes in land use policies including tax incentives and crop quotas which are causing the rapid reduction in high quality waterfowl habitat on the prairies.

8. Few areas of natural grasslands remain in Canada. We urge a speedy conclusion to the negotiations for the establishment of the proposed Grasslands National Park in Saskatchewan. Further, we urge that consideration be given to protecting representative areas of subarctic bushland north of the prairies.

9. A federal policy and mechanism for protecting estuarine resources is urgently needed. Environment Canada should begin a program of implementation of the recommendations of the 1978 Fox and Nowlan CEAC Estuaries Report without delay.

10. The forest industry on both coasts has seriously reduced salmon spawning habitat during this century. Negotiations should be sought with Provincial governments leading to an agreement to protect and rehabilitate salmon spawning streams. Any salmon enhancement program without a major emphasis on habitat protection will be ultimately unproductive.

11. Environment Canada should initiate a program of identification of endangered marine species.

12. Environment Canada should recommend that the Canadian delegation to the International Whaling Commission in July 1980 should support the adoption of a worldwide moratorium on commercial whaling.

Presented by Jim Bonfonti,  
Sierra Club of Western Canada,  
on behalf of the Canadian Environmental Non-Government Organizations.

## NUCLEAR WASTES: A CASE OF MISPLACED PRIORITIES

NOTE: In the jargon of the nuclear industry, a "disposal" method for nuclear wastes is any method for the permanent safe containment of these wastes in a maintenance free manner over geological time priods. The validity of this concept has yet to be demonstrated; indeed, no criteria have been established which would permit the validity of the concept to be tested. The term is used in this paper in its technical sense, which is paradoxically devoid of any technical content which is capable of definition.

Only in the last few years has the problem of safely "disposing" of nuclear wastes been scrutinized by scientists and review agencies outside the nuclear industry itself. The results of this external scrutiny indicate that the problem has been largely ignored by society and that the difficulties, dangers, and costs associated with such "disposal" have been seriously underestimated until very recently. It is now recognized that the future of the nuclear enterprise depends in a crucial way upon a resolution of this multi-faceted problem.

Most of the debate has so far centred on high-level radioactive wastes, whether in the form of irradiated nuclear fuel or post-reprocessing liquid wastes. This emphasis is perhaps understandable, for a variety of reasons (some technical and some political):

1. these wastes are so intensely radioactive that they must handled by remote control equipment behind very thick shielding;
2. these wastes generate considerable amounts of heat which must be removed to prevent serious overheating;
3. these wastes contain a great many radiotoxic substances which were not found in nature prior to the testing of atom bombs;
4. the degree of perfection required in containing these wastes for geologic time periods has never been demonstrated in any other technological context, even in principle, for more than a few decades;
5. these wastes are not biodegradable and there is no method known to science for neutralizing them or rendering them harmless;
6. these wastes are associated, directly or indirectly, with the production of weapons-usable plutonium requiring extraordinary security measures;
7. there has been conflicting scientific evidence on the degree of confidence which should be placed on current proposals for the permanent geological "disposal" of these wastes;
8. there have been several unfortunate incidents involving the leakage and/or dispersal of high-level liquid wastes from storage;
9. there have been numerous political confrontations (including a few fiascos) involving preliminary efforts to site a high-level waste repository;



10. the licensing of nuclear reactors has, in several instances, been made contingent upon the demonstration of an adequate "disposal" method for the associated high-level wastes.

As a result, an ambitious program has been launched in Canada to develop a satisfactory "disposal" method for high-level wastes. Unfortunately, the pressing problem of finding a suitable "disposal" (or permanent containment) method for uranium mill tailings continues to be ignored, perhaps for the reason that the cost of tailings "disposal" is likely to be very high (preliminary estimates presented to the Select Committee on Ontario Hydro Affairs ranged from \$300 million to \$18 billion for existing Elliot Lake tailings). This situation exists despite the following facts:

1. uranium tailings are much more voluminous, hence much more intractable than high-level wastes (100 million tons to date);
2. although not intensely radioactive, uranium tailings are extremely radiotoxic (more so than high level wastes after several centuries);
3. uranium tailings are also non-biodegradable and extremely long-lived (thorium-230 has a half-life of 80,000 years);
4. uranium tailings are currently contaminating water systems and polluting the atmosphere (unlike Canada's high-level wastes which are temporarily stored in water-filled bays);
5. radioactive daughter products from uranium tailings impact upon food chains and ultimately affect the health of communities and ecosystems far removed from the actual tailings sites;
6. uranium tailings pose a serious abandonment problem (there have been over 30 tailings dam failures in the Elliot Lake area);
7. the U.S. nuclear regulatory commission has recently admitted that radon gas emitted from uranium tailings constitutes the largest single source of radiation exposure for members of the general public from the entire nuclear enterprise (barring major accidents);
8. recent Canadian rulings have confirmed that there are no proven, adequate "disposal" methods in existence for high volume radium-bearing wastes (the AECS has not even formulated regulations or criteria);
9. it is unanimously agreed by experts on all sides of the nuclear debate that a permanent "disposal" method for uranium tailings must be found;
10. public opposition to existing policies is growing and public confidence in existing institutions is declining (B.C. moratorium and Saskatchewan refinery hearings are good examples);
11. there also exists a serious health and ecology impact potential caused by disturbing radioactive ore bodies as a result of certain exploration techniques -- radon gas can percolate into aquifers penetrated by drilling operations, or

the daughters can attach to airborne particulate matter and travel great distances, even in the absence of a mining and milling operation which produces tailings -- this must be considered a containment problem as well.

#### RECOMMENDATIONS

1. The Department of the Environment should advocate the transfer of jurisdiction and regulatory power over radioactive waste management from the AECEB to the Department of the Environment.
2. The Department of the Environment should vigorously advocate a moratorium on the licensing of additional uranium mines and mills until at least one satisfactory method has been found for the safe permanent "disposal" of uranium mill tailings.
3. The Department of the Environment should commission and publish a study of the potential environmental and health impacts associated with radium-bearing wastes (low-level). This study should include a history of containment failures and contamination problems in Canada to date, as well as an account of progress in containment methods and "disposal" options.
4. In local communities which are slated for the siting of a uranium facility or a nuclear waste facility, the Department of the Environment should make funds available to local public interest groups to enable them to conduct research, obtain literature, hire consultants, and conduct public education programs related to the potential environmental problems associated with such facilities.
5. The Department of the Environment should exercise its jurisdiction to curtail exploration into and mining of all new radioactive ore deposits until the containment problems associated with radon mobility have been fully addressed.

Presented by Dr. Gordon Edwards,  
Canadian Coalition for Nuclear Responsibility,  
on behalf of the Canadian Environmental Non-Governmental Organizations.

## FINANCIAL SUPPORT

### Submission to the Minister of the Environment recommending a policy of financial support to ecological groups

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Many spokesmen from our society and the general public increasingly recognize the work and ideas of ecological groups. So do the political parties and the government, since in the past few years they have included "ecological" measures in their programs and legislation.

It would therefore be timely for Environment Canada to consider giving concrete support to the promoters of these value changes by granting them financial assistance.

The many aspects of ecology prompts interest groups to contact various federal government departments in their quest for funds to finance their operations and informational, educational, research and pilot project activities (departments of: Transport; Energy, Mines and Resources; Health and Welfare; Justice; Secretary of State; Employment and Immigration). These departments already have funding programs that partly answer our needs. However after four years of discussions on the funding issue with the Advisory Council Environment Canada does not have a policy for supporting ecological groups.

Failure by Environment Canada, in the near future, to adopt a policy in support of ecological groups may mean cutting itself off by default from such groups. This is not a threat, Mr. Minister, but a point of fact!

We think it is imperative, Mr. Minister, that you make an immediate commitment to submit a subvention policy proposal, within three months, to the steering committee of the ecological groups. Such a proposal should set out criteria defining the eligibility of groups to subventions without jeopardizing their objectives. The policy could provide for two types of grants:

Operational grants: Environment Canada could move quickly in this type of financing without requiring large budgets because there would be no salaries to pay. The department could help groups with their operating expenses (rent, telephone, printing, representation costs, etc.). Even with volunteer staff, such expenses are uncontrollable and they affect the action possibilities, if not the very survival, of ecological groups.

Project grants While certain groups are opposed in principle to full funding (salaries and operating expenses) on an annual basis, several others deem project-oriented grants to be essential. That is why we are asking you, Mr. Minister, to include in your funding proposal a section on project grants.

Submitted by Pierre Lacombe  
La Société pour Vaincre la Pollution (S.V.P.)  
on behalf of the Canadian ecological groups



## WATER QUALITY

Water is a substance crucial to all life. While people are equally dependant on clean water, we differ from other life forms in our ability to degrade and destroy the life-giving capacity of water, either by poisoning it, by saturating its capacity to decompose organic (oxygen-demanding) materials, or by disrupting natural watercourses and ecosystems with dams or channels. The destruction of value so accomplished is much greater than would be the basic costs of control.

Canada is one of the countries of the world with the greatest freshwater resources, which are replenished each year with about 8000 billion tonnes of precipitation, and our population density is slight; but because of the industrial nature of our society, we have managed to poison and degrade our enormous natural heritage. Briefly let us look at some of the forms this degradation takes, and then the role the Government of Canada and Environment Canada could play in reducing human impacts, and ensuring an abundant supply of clean water for the future.

We have endangered our own water supplies by polluting the air, the ground, and the water itself. Nearly 20 years ago Rachel Carson chillingly documented the problem posed by the broadcast uses of pesticides. One of the best documented cases of destruction came from our own Fisheries Research Board, which had been doing systematic studies of salmon productivity in the Miramichi Valley, when the area was sprayed with DDT intended for spruce budworm. While this problem has festered, another has come crashing onto the front page headlines, the problem of acid precipitation. Already an epidemic in the form of a continuous drenching, it is causing a steady deterioration of water bodies downwind of North America's industrial heartland. The problem could quickly deteriorate further as the U.S. Government turns to coal as a way out of its energy bind. Ironically acid precipitation could be said to cleanse the air, as the poisons are washed out onto the ground and into the waterways. What is required however is cleansing before emission, not after.

Run-off from the land can also have serious consequences. Non-organic farming is a major contributor of nitrate and phosphate pollution and pesticide run-off. Toxic and radioactive waste dumps and mine tailings can also be sources of deadly leachate entering into the water supply, which is the natural rivers and underground streams of the country.

Finally of course there are the substances dumped directly into the water, particularly municipal and industrial sewage. Household sewage is not heavily toxic (except for some cleansers and paint, etc.) but may overburden the watercourse's natural ability to degrade organic substances, to the point where oxygen content falls to virtually zero, drastically altering the marine ecosystem. Even in this respect municipalities may be outdistanced by industry -- in Quebec for example the pulp and paper industry alone dumps four times more oxygen-demanding organic material into the water than all the municipalities combined. In the field of toxic substances the variety is enormous, and many industries dump chlorinated hydrocarbons, heavy metals and other toxic substances into sewers or directly into rivers and lakes. The cost of treatment of effluent at source is often substantially less than the destruction of



value that occurs without treatment. Waterways are not only used as sewers, however, but for their energy and transportation potential as well. Disruption of the marine ecosystem by damming and dredging is widespread. In addition, the question of the possible diversions of water outside Canada is too important to be ignored.

Because the potential danger is as ubiquitous as the water itself is no cause for despair or inaction. The abundance of water has lead some to see it and treat it as a free good. We must now recognize that clean and usable water is not free. Since we must have water (can the cost ever be too high?), the only appropriate response is to get down to work, identify hazardous substances and control if not ban their use.

The Federal Government has a large role to play in this matter, as well as the provinces. Canada has jurisdiction concerning navigable and boundary waters, as well as fisheries. These powers alone give it virtually all the power it needs to intervene constructively. We take a small risk in subjugating human needs to the environmental needs of fish -- in fact the very construction of the problem should give us a humbling perspective of our position in the earth's ecosystem. Ottawa's power to regulate does not end here, of course; the regulation of hazardous substances is in the general interest of Canada, and this is the basis for the Environmental Contaminants Act. Unfortunately the law has not been applied to pesticides.

Environment Canada can also perform an active informational role in areas that remain provincial responsibility. For example, recognizing the damage to aquatic ecosystems caused by centralized sewer systems, Environment Canada could survey the various means of on-site disposal and make the information available to provincial agencies, municipalities and public interest groups.

What the Government lacks is not more power, but the will to protect the public interest, not just those of the companies or government agencies that may have been identified as polluters. Data collected must be open for inspection by the public, and there must be a feedback mechanism to allow policy input. The public must be involved in the evaluation and the decision making process in a realistic way.

Presented by Charles D. Mallory,  
STOP (Montréal),  
on behalf of the Canadian Environmental Non-Governmental Organizations.

ENERGY AND THE ENVIRONMENT: A SUMMARY OF THE ISSUES

Energy production and use together form one of the most important areas for concern with regard to impact on the human and natural environment.

Energy supply projects today represent, in sheer physical size as well as in investment dollars, some of the most massive and demanding engineering feats ever undertaken. Gross environmental disruption from these projects -- ranging from pipelines to nuclear plants to offshore oil/gas development -- is certain to be severe in almost every case.

In addition to the damage caused by the actual construction of projects for production of energy supplies, the use of energy throughout the entire fabric of society's economic and domestic activities also produces pervasive ecological and health problems. These include the problems of acid rain, the release of radionuclides from nuclear facilities, the build-up of CO<sub>2</sub> in the atmosphere from the burning of fossil fuels -- and these are merely examples. Virtually all sources of energy cause some burden to health or the environment. And while no one argues that adequate levels of energy use are necessary for human wellbeing, the question of how much is enough is becoming increasingly pertinent.

It is the basic position of the ENGO groups who are involved in the environmental aspects of energy issues that the question of an appropriate level of energy use (energy demand) is fundamental to any discussion of protecting environmental quality.

In terms of the global allocation of energy resources, on a per capita basis Canada ranks as one of the world's highest consumers -- and one of the least efficient. If all countries used equivalent amounts of energy per person, various limiting factors on a global scale -- resource availability, climatic change, and pollution -- would in all likelihood be exceeded. Equity alone, therefore, demands that we practice greater efficiency.

So too does the environmental harm associated with the scale on which we are using (and using up) energy resources. The spread, over the last two decades, of acid precipitation, which began as a small scale, regional problem and is now causing damage to lakes and streams over large parts of North America is only one illustration of this correlation between a high rate of energy use and rapid environmental deterioration.

From our perspective, only a dramatic increase in the efficiency of energy use represents an adequate response to these environmental and human health problems. All other measures, such as making pollution control standards more stringent, improving the impact assessment process, etc., will prove unequal to the task of environmental protection so long as the main policy thrust in energy is in increasing the supply and not in reducing the demand. (It is here implied that reducing the demand for energy is a matter of increasing the efficiency of energy use. Lifestyles changes will certainly play a role, but there is such enormous scope for improving technical efficiency that dramatic lifestyle changes needn't enter the discussion, in a major way, at this point.) This is not to argue that pollution controls on supply industries are

unnecessary, but rather that, on a dollar-for-dollar basis, the most significant form of environmental protection in this area is reduction of overall energy use. Stronger environmental controls alleviate part of the problem, but cannot get at the growing burden of cumulative, subtle, and pervasive effects resulting from increasing energy use. Moreover, in the situation of a to-develop-or-not-to-develop decision, going ahead with a project inevitably means the change or destruction of its immediately surrounding environment; only not proceeding with the project gives the option of that environment's remaining intact. Need for a particular energy supply source thus becomes the overriding factor in determining whether the natural beauty of pristine surroundings, sensitive ecological regions, and productive hunting or fishing grounds will be preserved undisturbed.

\* ENGO groups further take the position that, in the long term, societies must learn to live within the "energy income" provided by the earth's flows of renewable energy. Policy initiatives which support a move in this direction overall make the most useful contribution to environmental problems in energy supply.

\* Taken together, a reduction in energy demand along with the rapid phasing-in of renewable energy supplies constitute key elements of what is usually referred to as a "soft" energy strategy. (Those strategies have now been described in detail in studies by Lovins, Leach, and others. Other important attributes of a soft path include decentralization and appropriate scale.)

#### RECOMMENDATIONS

1. That Environment Canada's jurisdiction be explicitly extended to include input on policy direction in the energy field. As well, in this context, that Environment Canada rather than proponent departments undertake mandatory environmental impact assessments under EARP. (See also all recommendations on environmental impact assessment).
2. That in policy direction and in assessing environmental impacts of specific energy supply projects, need for projects and their appropriateness be rigorously assessed in the light of a departmental commitment to a soft energy strategy described in such studies as A Low Energy Strategy for the United Kingdom by Gerald Leach, the Harvard Business School study Energy Future, and the FOE Canada Provincial Soft Path Studies for Canada.
3. That Environment Canada fund research in the area of soft energy strategies.

Presented by Susan Holtz,  
Ecology Action Centre,  
on behalf of the Canadian Environmental Non-Governmental Organizations.



## CONTROL OF ACID PRECIPITATION

### INTRODUCTION

The increasing levels of acid in rain and snow falling over eastern Canada and northeastern United States arise mainly from man's use of fossil fuels for energy generation. In Canada, the smelting of sulphur-rich ores is the largest source, while in the U.S. coal burned by electrical utilities yields the major share of acid-causing pollutants. Nitrogen oxides from automobile exhausts and other sources also contribute substantially to acid precipitation.

The most dramatic impacts of acid rain and snow have been in aquatic ecosystems. Lakes situated in hard-rock areas where neutralizing chemicals such as calcium carbonate are in low concentration are particularly susceptible. The Canadian Shield, stretching from the Arctic Circle across most of Greenland and eastern Canada into the U.S. below the Great Lakes, contains more than a million square miles of acid-sensitive land and water. The International Joint Commission estimated that all parts of the Great Lakes basin are now receiving precipitation which contains 5 to 40 times more acid precipitation than under normal conditions.

Lakes in the Haliburton-Muskoka area, which drain into Lakes Huron and Ontario, have lost 40 per cent to 75 per cent of their acid neutralizing ability in a decade or less. Once buffering resources are depleted, small amounts of acid cause large changes in the lake ecosystem and the water becomes too acid for many forms of aquatic life. The Ontario Ministry of Environment estimates that 140 lakes no longer support fish life and as many as 48,000 lakes may be endangered in the next two decades. It is already too late to save many lakes in eastern Canada. It is urgent that strict control action be taken now.

The Ontario and national organizers of the Action Seminar on Acid Precipitation (ASAP) have met several times since the conference and formulated a set of practical proposals to control domestic sources of sulphur dioxide emissions. These recommendations were only meant to be a series of initial goals or targets, aimed at minimizing the damage occurring now. They may be made more stringent as new research is completed but the conference organizers firmly believe that the lack of complete scientific analysis should no longer be used as an excuse to delay further abatement.

While nitrogen oxide emissions are large, research has shown that the acid content of precipitation is 8:1 sulphuric to nitric oxide. Therefore, these recommendations focus on sulphur dioxide control. However, we urge the federal overnment to initiate with the United States, a research program on the control of nitrogen oxides, the other major group of acid rain causing pollutants.

We recognize that an overwhelming environmental problem is the level of energy use in Canada. Action on any issue, even one as important as control



of acid rain, will ultimately not succeed unless energy demand is limited. In this context, we request that the paper "Energy and the Environment" be read as a companion piece.

#### ENVIRONMENT CANADA'S ROLE IN CONTROLLING SULPHUR DIOXIDE

We argue that any reduction in domestic emissions would be valuable in buying time for threatened Canadian ecosystems. Recent work by the Department of Environment indicates that approximately 70 per cent of emissions responsible for acid rain and snow in mid and northern Ontario and Quebec originate in Canada. Therefore, control of acid precipitation lies within Canada to a greater extent than was previously thought. The Department's data show that Inco is responsible for 30 per cent of Ontario's acid rain, 40 per cent in the Muskokas and 20 per cent in Ottawa area.

At the time of writing a provincial control order requires Inco to control its smelter emissions at Sudbury, Ontario. Preliminary indications are that emissions will be cut from 3,600 tons per day to 2,500 tons per day effective July 1 with an ultimate reduction to 1,950 tons per day at the end of 1982. The first phase of the control order limits Inco to current emission levels which with production cutbacks are now about 2,600 tons daily.

These reductions are a welcome beginning but we believe that further cuts can and should be made. A private study, commissioned by federal officials, apparently shows that reductions of up to 1,000 tons per day are possible.

On this basis we urge Environment Canada to:

1. Make public the background studies for the proposed control order. We understand that there are three studies -- one by Environment Canada and two by outside consultants which discuss the current state of control technology available to industry and marketing conditions for reclaimed sulphur dioxide. These studies should be scrutinized by the public interest groups which have been asked by the province to comment on the proposed control order at a public meeting on June 9.
2. Permit public interest groups to appoint a member on the Ontario-Canada task force which will be established to consider the environmental, social and technological implications of the control order.
3. Encourage and support other initiatives by the Province of Ontario which would place emission controls on Ontario Hydro and other industries which release sulphur dioxide.

The province of Ontario is not the only jurisdiction harbouring major sulphur dioxide polluters. Environment Canada should encourage all provinces in Canada to place strict controls on sulphur dioxide emissions and should increase public education efforts across the country. In particular, Environment Canada should make special effort to persuade

1. Alberta and Saskatchewan to control emissions from tar sands, sour gas and oil production.
2. Quebec to control smelter emissions.
3. Nova Scotia and other Atlantic provinces to use best available technology to control emissions from any new coal-fired power plants.

An immediate target for reduction of sulphur dioxide emissions from all sources in Canada should be less than 50 per cent of existing emissions within 10 years. This target is an immediate objective only, and should be made more stringent if warranted by new information. Beginning immediately, any reduction in emissions would be viewed as worthwhile.

With the provinces, the Canadian Government should agree:

1. To install best available technology on all existing thermal generating facilities.
2. To reduce sulphur dioxide emissions by at least 90 per cent of what they would be without any abatement equipment for high sulphur coal, and by 70 per cent for low sulphur coal on all new and converted thermal generating stations.
3. To reduce emissions by 50 per cent on all other point source emitters until a more stringent standard can be determined.

We are disturbed by recent events that indicate several provinces may be planning to export uninterrupted electricity to U.S. utilities. Before any export licences are granted, we argue that coal-fired electrical generating plants must conform to the above regulations.

The federal government has the responsibility of negotiating with the United States an air quality agreement. It is our conviction that substantive action in Canada is a prerequisite to tough bargaining with the U.S. In the United States, the Department of Energy has proposed that some 100 power plants, 35 in the northeast alone, be converted to coal from oil and gas. Such action would increase air pollution over eastern Canada by 25 per cent.

We therefore also urge Environment Canada to:

1. Actively intervene in the U.S. Environmental Protection Agency review of ambient sulphur dioxide standards with the objective of substantially strengthening them. If direct intervention is not possible, other government or non-government agencies should be funded by Environment Canada to intervene on behalf of Canada. The EPA has issued the first draft of its "Air Quality Criteria for Particulate Matter and Sulphur Oxides". comments have been invited and will be received until July 3. Immediate intervention is necessary because a similar reappraisal of ozone regulations last year resulted in a 50 per cent relaxation under heavy industrial lobbying.
2. Extend reciprocity to U.S. federal and state agencies on the setting of Canadian air pollution standards.

3. Request an immediate meeting between the Prime Minister and U.S. President Carter to discuss concerns regarding coal conversions and proposed changes in the averaging methods of measuring sulphur dioxide emissions from U.S. sources. Ohio has received permission to change from a 30 day to a 24 hour averaging system. Other states are expected to make similar applications.
4. Examine, in conjunction with the Department of Health and Welfare, sulphur dioxide pollution to determine whether sulphur dioxide should be controlled under the Environmental Contaminants Act and Clean Air Act.
5. Persuade other federal government departments to not undertake any agreements with the U.S. which would relax or compromise the objectives of the air quality agreement.
6. Request that the Department of External Affairs open to the public the negotiation process so that the public interest input is assured at all stages during the formulation of an air quality agreement.

Presented by Rick Pratt,  
Canadian Nature Federation, representing the organizers of ASAP,  
on behalf of the Canadian Environmental Non-Governmental Organizations.

## TRANSPORTATION, THE URBAN BICYCLIST AND THE ENVIRONMENT

### THE COSTS OF THE AUTO

The automobile is unquestionably the leading cause of air and noise pollution in Canadian cities. In most big Canadian cities one-third of the land or more is paved over with concrete to accommodate the automobile. The continuous presence of the automobile in the city intimidates old people, children, bicyclists, roller skaters and pedestrians. They kill 5,000 Canadians a year and injure 250,000 others, the population of Halifax.

Federal, provincial and municipal governments have assisted the car and oil companies via massive road building and other subsidies while neglecting and usurping the space and the needs of bicyclists and pedestrians. Sidewalks were narrowed and streets were widened in the cities, at the public's expense. Present gasoline price subsidization is costing the Canadian taxpayers more than 2 billion dollars every year. High depreciation allowances and auto business deductions encourage regular turnover sales. Chrysler just received another \$200 million.

### PUBLIC TRANSPORT

In major Canadian cities, excluding Toronto, efficient comfortable streetcars were eliminated and replaced by uncomfortable General Motors buses. The elimination of the streetcars, which had their own rights-of-way in the middle of city streets, removed a roadblock to cars. Commuter trains in Montreal were starved of funds, while 2 autoroutes were constructed adjacent to the rail lines to the West Island, forcing people out of trains into cars. The reliability and service standards of public transport have continuously been undermined both by private promotion of the car/oil industries and by lack of defense and support from governments which allowed and encouraged urban sprawl that made the car alternative so attractive as to even become "a necessity".

The Federal Ministry of Transport allots 95% of its transport budget to the auto and airplane modes while the efficient, ecological and safe train mode receives a pittance of \$250 million annually. Train lines have been cut continuously, in spite of massive public protest to maintain them, for the past 25 years. In the autumn of 1979 Via Rail's rates were raised in the "interests of the commercial viability of bus companies". Even now, in spite of growing energy shortages, rail service, particularly in the West, is being cut. Major Canadian cities like Quebec, and even Ottawa, the national capital, lack train stations. Ottawa's downtown train station opposite Parliament was removed and the railbed was used for a part of Ottawa's Autoroute network. A national disgrace! The car, with its high inner city fuel consumption ratio per passenger mile compared to public transit and pedestrian alternatives and its disproportionate consumption of road and parking space, is a cumulative example of our worst urban environmental mistakes in the last 50 years. The time has come to transfer the focus of government support to the public transit alternatives.

For the last several years, in Canada and throughout the industrialized world, there has been a renaissance of bicycling. At the same time



governments have been slow in satisfying the needs of this growing transport mode with concrete facilities. The most conscious of the urban bicyclists have organized themselves into cyclo-political groups in their respective cities. Our struggles to promote bicycle commuting has led us into conflict with another commuting mode: the automobile. This daily confrontation has induced us to better understand the place of the automobile in our society.

Millions of Canadians have rediscovered the bicycle in the last few years. We have done so for reasons of convenience and flexibility, for in the cities they are often preferable to the auto and public transit modes. Many have taken to the two-wheeler for health and fitness. Others for the random human contacts urban bicycling provides. Some now bicycle because it puts them in close contact with the geography of their city while seeing the buildings in a new light. Energy conservation motivates others. But all see it as a "framework for the future".

In spite of the many personal and social benefits of urban bicycling, governments, notwithstanding their massive advertising campaigns for bicycling to save energy and preserve health, have provided few concrete facilities to encourage it. The Ottawa region is an honorable exception to this neglect and an example of what can be done.

We want recognition and encouragement of bicycling as a real alternative for city commuters as well as for recreation. We want complete networks of safe bicycle routes in our cities so that a well dressed business person or a ten year old child could reach all urban destinations unflustered and in perfect safety. We want the integration of the bicycle into the public transport networks.

#### WHAT THE FEDERAL GOVERNMENT CAN DO

The Minister of the Environment should recommend the following:

1. the provision of secure bicycle parking and abolish free auto parking at all Federal Government operated buildings in Canada. The United States Federal Government recently issued a directive calling for bicycle parking for all its buildings.
2. the provision of bicycle access to all federally regulated tunnels and bridges in Canada.
3. compensation for Federal Government employees who use their bicycles as transport on government duties at a rate comparable to the car allowance given employees using car transport.
4. use of bicycle courriers for government deliveries in dense urban areas.
5. provision for bicycle carriage on all trains, air planes and interprovincial buses.
6. construction of a cross-Canada bicycle path network connecting and through the major cities: the Trans Canadian Veloroute.

7. construction of bicycle paths at all canals, ports and linear rights-of-way under federal jurisdiction.
8. bicycle rental services available at train stations and airports.
9. allocation of a percentage of federal gas taxes for cost sharing programs to increase bicycle facilities.
10. establishment of research institutes to investigate the bicycle and other means of transport as an alternative to cars in cities.
11. creation of earth-surfaced bicycle paths in all national parks.

Most of these measures would cost very little, compared with automobile support facilities, and would save energy, improve health and fitness, provide great social benefits and improve the quality of life in Canada.

Presented by Robert Silverman,  
ROULAVELO, Alma; LES ROUES LIBRES, Québec; VELO-QUEBEC; BICYCLE RIGHTS  
ASSOCIATION OF TORONTO; LE MONDE À BICYCLETTE, Montréal,  
on behalf the Canadian Environmental Non-Governmental Organizations.

## INTERNATIONAL AFFAIRS

All of the issues being discussed at this meeting and others, like Antarctica and the law of the sea, have international implications. While some of them may not receive as much publicity as acid rain, they nevertheless deserve our attention.

With some notable exceptions, Canadian ENGOs have traditionally focused on domestic issues. As the movement matures more time and money will be spent on international affairs, as is now being done by our counterparts in other countries. As such, we are essentially serving notice that Environment Canada must also improve the manner in which it deals with trans-boundary environmental concerns, particularly those with significant Canadian involvement. Past experience with West Coast tanker traffic, the Garrison Dam and the Eastport oil refinery (to name only a few) does not suggest that such issues are dealt with in a comprehensive or rigorous manner. If important environmental issues can fall victim to international politics between two friendly nations, one realizes the magnitude of the problem resolving such issues at the global level.

A good place to start would be the United Nations Environment Program (UNEP). The issues dealt with by UNEP need to receive a much higher profile in Canada and an excellent way to do so would be for Environment Canada to work more closely with ENGOs in this area. We need to know what the Canadian delegation is doing at UNEP, and the delegation needs to know what we are doing here at home. One solution would be to appoint an ENGO representative to the delegation, thereby also ensuring better communications with the Environmental Liaison Centre and hopefully a more significant contribution to World Environment Day than a poster campaign.

A more complicated problem is the environmental impact of Canadian agencies and corporations in foreign countries. Foreign projects implemented by the Canadian International Development Agency and private companies receiving any government funding should be subject to an environmental assessment, either one in Canada (e.g. EARP) or a process in the country where the project is located funded by the Department of the Environment. Canada has the responsibility and the ability to ensure that it does not export environmental problems as part of its foreign aid program.

As the highest per capita consumer of energy in the world, Canada should also give special attention to the environmental effects, both at home and abroad, of our misuse of energy. Given what may be a direct relationship between energy consumption and environmental degradation, Canadians may also be the highest per capita polluters in the world. While Environment Canada may not have a mandate for dealing with energy or many other issues, it is responsible for their environmental effects and should not hesitate to exercise that mandate at the root by dealing with the disease as well as the symptom.

Finally, it should be noted that war is the greatest environmental threat. As much, the Department of the Environment should actively oppose

within government the export of all nuclear technologies and materials and should ensure that the full weight of its regulatory power is used against government support of weapons proliferation.

Dana Silk,  
CPAC, New Brunswick,  
on behalf of Canadian Environmental Non-Governmental Organizations.



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